

IN RE: PETITION FOR SPECIAL HEARING
SE/S Philadelphia Road at
Middle River Road
(9519 Philadelphia Road)
15th Election District
5th Councilmanic District

Stanley Lloyd
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-353-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 9519 Philadelphia Road, located in the vicinity of Rosedale. The Petition was filed by the owner of the property, Stanley Lloyd, and the Contract Purchaser/Lessee, Amoco Oil Company, by Charles T. Bogdanowicz, Project Manager, through their attorney, Anthony J. DiPaula, Esquire. The Petitioners seek approval of an extension of the time in which they must utilize the special exception granted in prior Case No. 91-498-XA, pursuant to Section 502.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a proposed automotive service station and convenience store with car wash. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Charles T. Bogdanowicz, Project Manager for the Amoco Oil Company, Anthony J. DiPaula, Esquire, attorney for the Petitioners and Thomas J. Hoff, Professional Engineer. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.05 acres, more or less, split zoned B.L.-C.N.S. and B.L., and was previously the site of the Old Philadelphia Inn. The property is improved with a 2.5 story building, which has been vacant

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

for some time. The Petitioners propose to remove the existing building and develop the site with an automotive service station and convenience store with a car wash. As noted above, this matter was the subject of prior Case No. 91-498-XA in which a special exception and variances for the use proposed were granted, on appeal, by the County Board of Appeals on May 7, 1992. However, additional appeals ensued and by Order issued April 12, 1993, Judge Alfred L. Brennan, Circuit Court Judge for Baltimore County granted the special exception request and remanded the variances back to the Board of Appeals. The Board ultimately granted the variance relief sought by Order issued July 22, 1993, and supplemental Opinion dated August 20, 1993. No further appeals were taken and therefore, the Petitioner had two years from the date of Judge Brennan's decision on April 12, 1993 in which to utilize the special exception. The proffered testimony offered at the hearing before me demonstrated that the Petitioners have been working diligently to obtain permits to begin utilization of the special exception. Entered into evidence as Petitioner's Exhibit 7 was a diary prepared by Thomas Hoff, the engineer on this project, which demonstrates the efforts he has undertaken, both with the Maryland State Highway Administration and Baltimore County to move forward with this project. Because of the complexities that these Petitioners have encountered in the development process, construction has been delayed. The Petitioners now come before me seeking an extension of time in which to utilize the special exception granted in 1993 for a period of one year from the date of this Order during which time the Petitioners expect to resolve any remaining matters and begin construction.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would re-

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By


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JUL 23 1993

sult if the relief requested in the special hearing were not granted. I find from the testimony and evidence offered that the Petitioners have, in fact, diligently pursued development of this site and utilization of the special exception. They were somewhat delayed in the approval process, through no fault of their own, by the various State and local governmental agencies. In the opinion of this Deputy Zoning Commissioner, the relief requested meets the spirit and intent of the zoning regulations and will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of May, 1995 that the Petition for Special Hearing seeking approval of an extension of time in which to utilize the special exception granted in prior Case No. 91-498-XA, pursuant to Section 502.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a proposed automotive service station and convenience store with a car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitioners shall have one (1) year from the date of this Order in which to utilize the special exception.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 5/22/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

May 22, 1995

(410) 887-4386

Anthony J. DiPaula, Esquire
Covahey & Boozer
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/S Philadelphia Road at Middle River Road
(9519 Philadelphia Road)
15th Election District - 5th Councilmanic District
Stanley Lloyd - Petitioner
Case No. 95-353-SPH

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Stanley Lloyd
200 S. Main Street, Bel Air, Md. 21014

Mr. Charles T. Bogdanowicz
14520 Green Road, Baldwin, Md. 21013

Mr. Thomas Hoff
Hoff & Antonucci, P.O. Box 27402, Towson, Md. 21285-7402

People's Counsel; File

MICROFILMED



Petition for Special Hearing

#344

to the Zoning Commissioner of Baltimore County

95-353-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve -----

an extension of the time within which the special exception granted in -----

Case No. 91-498-XA is to be utilized, pursuant to BCZR Section 502.3 -----

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: CHARLES T.Amoco Oil Company

(Type or Print Name)

BY: Charles T. Bogdanowicz

Signature

14520 Green Road

Address

Baldwin, MD 21013

City and State

Attorney for Petitioner:

F. Vernon Roazer/Anthony J. DiPaula

(Type or Print Name)

Signature

614 Bosley Avenue

Address

Towson, MD 21204

City and State

Attorney's Telephone No.: 828-9441

Legal Owner(s):

Stanley Lloyd

(Type or Print Name)

Signature

(Type or Print Name)

Signature

200 S. Main Street

Address

Phone No.

Bel Air, MD 21014

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Charles T. Bogdanowicz

Name

14520 Green Road - 21013

Address

592-5914

Phone No.



OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR.

+1HR+

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL

OTHER

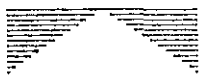
REVIEWED BY: MDLDATE 4/5/95

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By



**HOFF &
ANTONUCCI**
ASSOCIATES

Land Development Consultants
and Landscape Architects

95-353-SPT

June 14, 1991

**Description of BL-CNS Portion of AMOCO SERVICE STATION, 9519
PHILADELPHIA RD, to Accompany Petition for Zoning Variances and
Special Exceptions**

BEGINNING FOR THE SAME at a point on the south side of
Philadelphia Road (Maryland State Route 7, 80' R/W) at the
southwest corner of the intersection of Philadelphia Road and
Middle River Road, said point having the coordinate values of
N 21,141.65, E 43,859.84.

Thence binding on the south side of said Philadelphia Road,

(1) South 48 degrees 38 minutes 00 seconds West 143.37 feet;

thence leaving the south side of Philadelphia Road and binding on
the BL/BL-CNS zoning line,

(2) South 41 degrees 27 minutes 19 seconds East 193.29 feet;

thence leaving the BL/BL-CNS zoning line and binding on the
southeast property line,

(3) North 47 degrees 29 minutes 25 seconds East 172.25 feet;

to the west side of Middle River Road, thence binding on the west
side of Middle River Road,

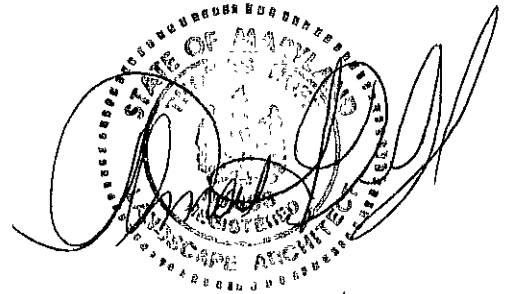
(4) North 42 degrees 36 minutes 58 seconds West 164.90 feet;

(5) North 86 degrees 59 minutes 29 seconds West 35.74 feet;
to the point of beginning containing 0.74 acres of land
more or less.

Note:

This Description has been prepared for zoning purposes only.

RECEIVED
JUN 15 1991



95-353-SPH

June 14, 1991

Description of Parcel "A" the BL Portion of AMOCO SERVICE STATION, 9519 PHILADELPHIA RD, to Accompany Petition for Zoning Variances and Special Exceptions

BEGINNING FOR THE SAME at a point on the south side of Philadelphia Road (Maryland State Route 7, 80' R/W) 164.31 feet from the southwest corner of the intersection of Philadelphia Road and Middle River Road, said point having the coordinate values of N 21,033.07, E 43,736.53.

Thence leaving the south side of said Philadelphia Road and binding on the southwest property line,

(1) South 40 degrees 49 minutes 50 seconds East 193.76 feet;

thence binding on the southeast property line,

(2) North 47 degrees 29 minutes 25 seconds East 23.05 feet;

thence leaving the southeast property line and binding on the BL/BL-CNS zoning line,

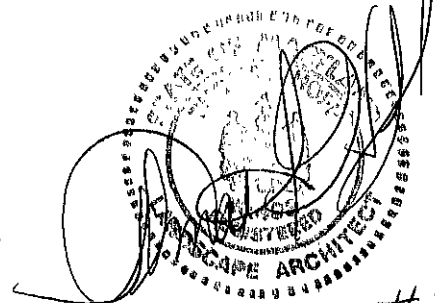
(3) North 41 degrees 27 minutes 19 seconds East 193.29 feet;

to the south side of Philadelphia Road, thence binding on the south side of Philadelphia Road,

(4) South 48 degrees 38 minutes 00 seconds West 20.94 feet;
to the point of beginning containing 0.10 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.



#344

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-363-SPH

District 15th Date of Posting 4/22/95
Posted for: Special Hearing
Petitioner: Stacy Boyd & Amoco Oil Co
Location of property: 9579 Phila. Rd. Cor. Middle River
Location of Signs: Facing road way, on property being zoned
Remarks: _____
Posted by [Signature] Date of return: 4/28/95
Signature
Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 100 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 110 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:

95-363-8PH (Item 344)
9519 Philadelphia Road
corner S/S Middle River
Road, SE/S Philadelphia
Road.

15th Election District

5th Councilmanic

Legal Owner(s):

Stanley Lloyd

Contract Purchaser:

Amoco Oil Company

HEARING: TUESDAY,

MAY 9, 1995 at 10:00 a.m.

In Rm. 100, County Office
Building.

Special Hearing: to approve an extension of the time within which the special exception granted in case #91-498-XA is to be utilized.

LAWRENCE E. SCHMIDT,

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are Handicapped accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

4/23/95 April 20.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

April 12, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 20, 1995.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. TOWSON



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-353-SPH

Account: R-001-6150

Number

Date 4/5/95

Taken By: MFK

It. WI: 344

Amoco Oil - 9519 Philadelphia Road

040 - Comm Special Hearing - \$250.00

080 - 1 sign posting - \$35.00

Total - \$285.00

RECEIVED 4-14-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 344

Petitioner: Amoco Oil Company

Location: 9519 Philadelphia Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: F. Vernon Booser / Anthony J. D. Powell

ADDRESS: 614 Bosley Avenue

Towson, MD 21204

PHONE NUMBER: 825-9441

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY
April 20, 1995 Issue - Jeffersonian

Please forward billing to:

F. Vernon Boozer, Esq.
614 Bosley Avenue
Towson, MD 21204
828-9441

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-353-SPH (Item 344)
9519 Philadelphia Road
corner S/S Middle River Road, SE/S Philadelphia Road
15th Election District - 5th Councilmanic
Legal Owner: Stanley Lloyd
Contract Purchaser: Amoco Oil Company
HEARING: TUESDAY, MAY 9, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve an extension of the time within which the special exception granted in case #91-498-XA is to be utilized.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 17, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-353-SPH (Item 344)
9519 Philadelphia Road
corner S/S Middle River Road, SE/S Philadelphia Road
15th Election District - 5th Councilmanic
Legal Owner: Stanley Lloyd
Contract Purchaser: Amoco Oil Company
HEARING: TUESDAY, MAY 9, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve an extension of the time within which the special exception granted in case #91-498-XA is to be utilized.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Charles T. Bogdanowicz
Stanley Lloyd
F. Vernon Boozer/Anthony J. DiPaula

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 5, 1995

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 344
Case No.: 95-353-SPH
Petitioner: Stanley Lloyd/Amoco

Dear Mr. Boozer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 5, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)


MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director 
Office of Planning and Zoning

DATE: April 25, 1995

SUBJECT: 9519 Philadelphia Road

INFORMATION:

Item Number: 344

Petitioner: Stanley Lloyd / Amoco Oil Company

Property Size: _____

Zoning: BL-AS

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a special hearing to approve an extension of the time within which the special exception granted in Case No. 91-498XA is to be utilized, pursuant to Section 502.3 of the Baltimore County Zoning Regulations.

Based upon a review of the case history, staff believes the special exception will have expired by the time of the hearing on the subject special hearing.

However, should the zoning commissioner decide that the special exception remains in force, it is recommended that the extension be denied for the reasons as follows:

- 1) As outlined in our comments relative to the Petition in Case No. 91-498XA, use of the property as an automotive service station would be inappropriate (see attached comment dated August 6, 1991).
- 2) Since the ultimate granting of the special exception, the County Council approved the Philadelphia Road Corridor Study recommending that automotive service stations be prevented from locating near residential areas. Therefore, it appears to this office that there are issues to be considered beyond the simple examination of the appropriateness of extending the special exception.

Based upon a review of the information provided and use related issues pertaining to the obvious inconsistency with a County Council adopted plan, the Office of Planning recommends that the applicant's request be denied.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Klem

PK/JL

Joyce Watson
EAC Comments

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/28/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4/17/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341
344 ✓
345
348
349
350
351

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/19/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Settlement:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345,
347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: April 24, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 24, 1995
Items 341, 342, 344, 345, 346, 347, 348, and 351

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

Baltimore County Government
Office of Zoning Administration
and Development Management

*late comment
hearing 5/9/95*



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 19, 1995

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 95-353-SPH
Petitioner: Amoco Oil Company

Dear Mr. Boozer:

Enclosed are copies of comments received from SHA on May 16, 1995 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joyce Watson".

Joyce Watson

/jw

Enclosure



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

May 15, 1995

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
MD 7
Amoco Oil Company
Special hearing request
Item #344 (MJK)
Mile Post 4.72

Dear Ms. Watson:

This letter is in response to your request for our review of the referenced item.

The proposed right-of-way dedication and entrance improvements along MD 7 indicated on the plan are acceptable to the State Highway Administration (SHA).

However, since the subject development is located at the signalized intersection of MD 7/Middle River Road, we have forwarded a copy of the plan to our Traffic Section for their review and comment, in order to determine what impact if any, the proposed entrance would have to the existing traffic signal.

Upon being notified of their decision, we will promptly notify the developer's engineer.

With this in mind, we have no objection to approval to the special hearing request, subject to our aforementioned comments.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

- (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
 - e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Should you have any questions, or require additional information, please contact Bob Small at (410) 333-1350. Thank you for your cooperation.

Very truly yours,



Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

cc: Mr. Darrell Wiles

MICROFILMED

RE: PETITION FOR SPECIAL HEARING
9519 Philadelphia Road, cor S/S Middle
River Road, SE/S Philadelphia Road
15th Election District, 5th Councilmanic

Stanley Lloyd
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 95-353-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of April, 1995, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esq. and Anthony J. DiPaula, Esq., 614 Bosley Avenue, Towson, MD 21204, attorneys for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

APR 20 1995

**PETITION PROBLEMS
AGENDA OF APRIL 17, 1995**

#342 --- JRF

1. No item number on petition forms.

#344 --- MJK

1. No telephone number for legal owner.

#350 --- MJK??/JCM??

1. Who took in petition? MJK signed petition form; JCM signed receipt.
2. No original copy of receipt in folder; just xerox. Where is receipt?

#351 --- JJS

1. Notary section is incorrect/incomplete.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ANTHONY J. DIPINA, ESQ

614 BOSLEY AVE 21204

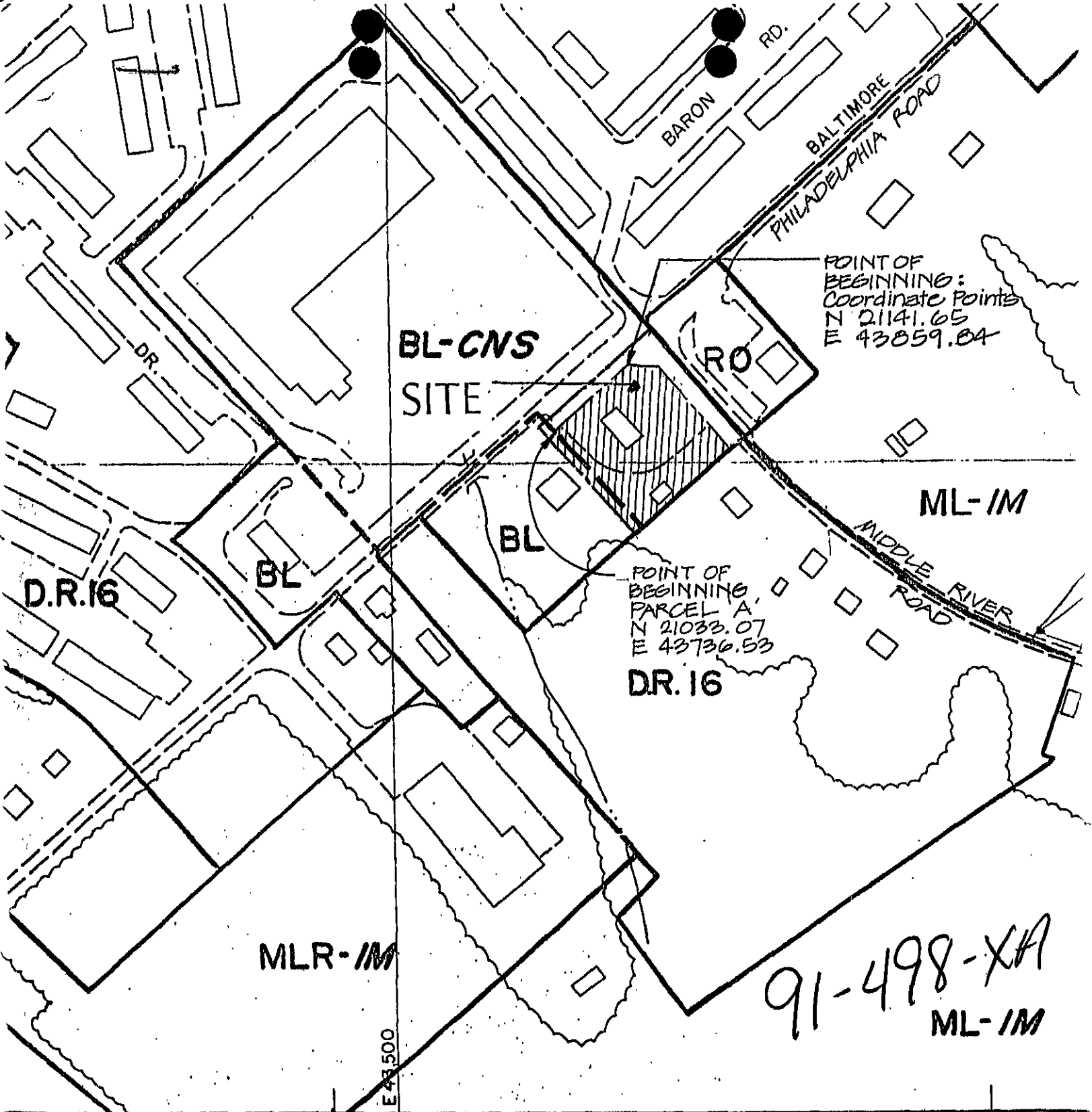
THOMAS J. HOFF

1717 YORK RD, SUITE 10 21093

CHARLES T. BOGDANOWICZ

14520 GREEN RD 21013





ZONING MAP

498

SCALE

1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

MICROFILMED

POPLAR

MICROFILMED

SHEET

N.E.
6-H



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

May 7, 1992

Anthony J. DiPaula, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

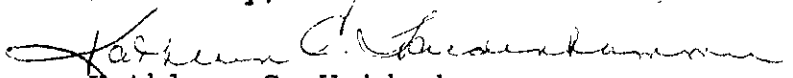
PETITIONER'S
EXHIBIT NO. 2

RE: Case No. 91-498-XA
Amoco Oil Company

Dear Mr. DiPaula:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,


Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Charles T. Bogdanowicz /Amoco Oil Company
Mr. Stanley Lloyd
Mr. Thomas J. Hoff
Mr. Nicholas Commodari
Mr. L. Rodney Compton
Ms. Gloria J. Turner
Mr. & Mrs. Lawrence Clow
Ms. Jan Walter
Mr. Hunter E. Bush
Ms. Marie Simoes
Mr. Ed Kormanis
Mr. Chad Kormanis
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Admin.

| | | |
|---------------------------------|---|-------------------------|
| IN THE MATTER OF THE | * | BEFORE THE |
| THE APPLICATION OF | | |
| <u>AMOCO OIL COMPANY</u> | * | COUNTY BOARD OF APPEALS |
| FOR A SPECIAL EXCEPTION AND | | |
| VARIANCES ON PROPERTY LOCATED | * | OF |
| ON THE SOUTHEAST CORNER | | |
| PHILADELPHIA Rd AND MIDDLE | * | BALTIMORE COUNTY |
| RIVER RD (9519 PHILADELPHIA RD) | | |
| 15TH ELECTION DISTRICT | * | CASE NO. 91-498-XA |
| 5TH COUNCILMANIC DISTRICT | | |
| * * * * | * | * * * * |

O P I N I O N

This case comes before this Board on appeal from a decision of the Zoning Commissioner denying the requested special exception and thereby rendering the variance requests moot. The case was heard this day in its entirety.

The site is a parcel containing 1.05 acres of land, the bulk of which is zoned B.L.-C.N.S., with a small B.L. strip along one property line. The site is presently improved with a large frame abandoned building that was formerly a restaurant/tavern. The proposal before the Board is to raze this building and construct a gas-and-go service station by the Amoco Oil Company with a convenience store and a self-service carwash. The County Review Group (CRG) has approved this use contingent upon the Petitioner acquiring the necessary special exception.

Testifying for the Petitioner was Charles Bogdanowicz, the Amoco Oil Company project manager and engineer. He testified to the use of the site as proposed and evidenced on Petitioner's Exhibit No. 1 and Petitioner's Exhibit No. 2, which is a duplicate of Petitioner's Exhibit No. 1 color-coded for clarity. In addition to testifying at length to the plan, he specifically noted that at present there are no curbs or gutters on-site and that this plan provides curbing, gutters and sidewalks on both Middle River Road and Route 7. He further testified that no food would be prepared

or consumed on the site but that the convenience store was strictly that --a convenience store. He further testified that the carwash is a two-minute operation strictly self-service and that the plan provides stacking for 20 automobiles availing themselves of the self-service carwash. He further noted that the entire operation was a 24-hour-a-day, 7-day-a-week operation with an attendant on-site at all times. He further testified that the variance requested for the 200.3 square foot sign was a standard Amoco sign and that it needed this much area to be in conformity with the pricing requirements under State regulations.

Thomas Hoff, a landscape expert, did a feasibility study on this site and prepared both plans, Plan 1 and Plan 2. He noted that in the extreme there was room for 52 cars on the site and still provide two-way access. This plan provides for road widening, curbs, gutters, sidewalks and entrances on both Middle River Road and Route 7 that conform to State regulations. He further testified that all the requirements of Section 502.1 of the Baltimore County Zoning Regulations (BCZR) had been complied with, that water and sewer was available to the site, and that the lighting and landscaping as proposed complied with County regulations. He further noted that the zoning manual on gas stations requires that a 6-foot ornamental board-on-board fence be erected on the property line to screen adjacent areas.

L. Rodney Compton, a real estate developer for Amoco Oil, testified that he had studied this site and that it met all the requirements necessary to develop this site. He particularly noted that there were no service stations on Route 7 from Golden Ring Road to the Harford County line, a distance of more than 10 miles.

On cross-examination, he also admitted that on Route 40, which parallels Route 7 less than 1/2 mile away, there were many service stations.

People's Counsel presented Dennis Wirtz, a senior planner for Baltimore County, who testified in opposition to the use of this site as a gas-and-go. It was his opinion that there were other uses under the B.L. zoning that would not impact upon the residential homes in the area to the extent that the proposed service station would.

Lawrence Clow, the property owner to the south of the site, testified in opposition to its use as a service station. It was his opinion that this station was out of character with the neighborhood, that there were ample stations provided along Route 40, and that there was no need for any more gas stations.

Gloria Turner, the president of the Nottingham Improvement Association, testified that traffic was already a problem at this site and that the Association feared the run-off effects of storm water from the site. On cross-examination, she admitted that the Nottingham Improvement Association did not oppose the large shopping center directly across the street.

Hunter E. Bush and Thomas Cagle both testified in opposition to the proposal and the fear that additional problems would be created by its use.

The Board will note that directly opposite the site on Middle River Road there is already commercial use, a 7-11 store. Directly across Route 7 there is a large shopping center. To the west of the site there are two residences and then a large warehousing operation. While there are two houses to the west of the site, one

to the east of the site, and a housing development diagonally across Route 7, this intersection can certainly be considered a mixed-use intersection. The Board will note that when the property was used as a restaurant/tavern there were many complaints about the patrons' behavior, noise, debris, and the parking problems. None of these problems would be apparent in the proposed use. The Board will also note that, while there is a plethora of service stations along Route 40, there are absolutely none along Route 7. This indicates that not only commuters using Route 7 but residents using Route 7 must detour to Route 40 to obtain the services they require. From the testimony and evidence, the Board can see no detriment to the health, safety and welfare of the neighborhood by the proposed use. The Board will further note that the intersection of Middle River Road and Route 7 is already a signalized intersection. From the testimony and evidence, the Board will find as a fact that all the requirements of Section 502.1 of the BCZR have been met, and that Sections 230.13 and 405 have also been complied with. It is therefore the opinion of this Board that the proposed service station complies with all Baltimore County regulations and the petition to grant same is approved. In conjunction with the granting of the special exception for the gas-and-go service station, the variances requested in order to obtain a conformity to Petitioner's Exhibit No. 1 will also be granted.

O R D E R

IT IS THEREFORE this 7th day of May, 1992 by the
County Board of Appeals of Baltimore County

ORDERED that the special exception to permit an automotive service station gas-and-go in the B.L.-C.N.S. zone be and the same

is GRANTED; and it is further

ORDERED that a food store with less than 5,000 square feet and a carwash as uses in conjunction with the service station be and the same are GRANTED; and it is further ordered

ORDERED that the portion of the property zoned B.L. be permitted use for parking use in conjunction with the carwash; and it is further

ORDERED that the board-on-board fence and screening as proposed on Petitioner's Exhibit No. 2 be and the same is GRANTED and must be in full compliance with all Baltimore County zoning regulations regarding fencing and screening; and it is further


ORDERED that the standard Amoco sign be and the same is GRANTED as depicted on Petitioner's Exhibit No. 1 in compliance with all Baltimore County setback regulations.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



William T. Hackett, Chairman



S. Diane Levero



Michael B. Sauer

CIRCUIT COURT FOR BALTIMORE COUNTY
CIVIL CATEGORY APPEAL

CIVIL ASSIGNMENT

IN THE MATTER OF
THE APPLICATION OF
AMOCO OIL COMPANY
FOR A VARIANCE ON
PROPERTY LOCATED ON THE
SE/COR PHILADELPHIA ROAD
AND MIDDLE RIVER ROAD
(9519 PHILADELPHIA ROAD)
15th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT

E

LAWRENCE W. CLOW

IN THE MATTER OF PEOPLE'S COUNSEL FOR BALTIMORE COUNTY

Appellants

AMOCO OIL COMPANY

IN RE: CASE NO. 91-498-XA

ATTORNEYS

Michael P. Tanczyn
Suite 106 606 Baltimore Ave.
(04) (410)296-8823

Michael P. Tanczyn- Cole
606 Baltimore Ave. Ste. 106
21204 296-8823

Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Ave.
(04) (410)887-2188

F. Vernon Boozer
Anthony J. DiPaula
614 Bosley Ave. (04) (301)828-9441

DLE: Mailed out 12/1/92

| | | |
|-----------------------|-------|---------|
| GEN | COSTS | 925341 |
| CV CLK | | 80.00 |
| B LBRY | | 10.00 |
| POST | | 2.00 |
| CN CHECK TL | | 92.00 |
| #19350 C002 R01 T14:3 | | 06/05/9 |

- (1) June 5, 1992 - Appellant's Order for appeal from the Decision of Board of Appeals of Baltimore County date May 7, 1992, fd.
- (2) June 18, 1992 - Certificate of Notice, from Balto. County Board of Appeals fd. rec'd 6/8/92
- (3) June 10, 1992 - Petition to Accompany Order for Appeal fd.
- (4) June 16, 1992 - App. of Phyllis Cole Friedman for the People's Counsel for Baltimore County and same day Notice of Appeal from the Decision of the County Board of Appeals dated May 7, 1992 and Petition on Appeal, fd.
- (5) June 18, 1992 - App. of F. Vernon Boozer and Anthony J. DiPaula for the Appellee AMOCO OIL COMPANY and same day Answer to Petition for Appeal, fd.
- (6) June 18, 1992 - Certificate of Notice, fd.
- (7) July 2, 1992 - Transcript of Record, fd. (G1)
- (8) July 2, 1992 - Notice of Filing of Record, fd.

FILED IN BASEMENT
LOCATION: BOX 66

**PETITIONER'S
EXHIBIT NO. 3**

MICROFILMED

CASE NO. 92CV5341

(9) July 2, 1992 - Appellee's AMOCO OIL CO. Answer to petition for appeal, fd (rec'd on June 26, 1992)

(10) July 2, 1992 - Appellee's AMOCO OIL CO. Motion to strike Paragraph 7 of the Petition on Appeal, fd. (rec'd on June 26, 1992)

(11) July 10, 1992 People's Counsel for BALto., Co. answer to Motion to strike, fd.

(12) July 16, 1992 App. of Michael P. Tanczyb as atty. for Lawrence W. Clow and same day answer to motion, fd.

(13) Jul 31, 1992 Order of Court that the Appellee's Motion to Strike is DENIED, fd. (DML)

(14) July 31, 1992 People's Counsel 's Memorandum, fd.

(15) July 31, 1992 Memorandum of Appellant, Lawrence W. Clow, fd.

(16) Sept. 10, 1992 - Appellee's Memorandum Pursuant to Rule B-12 with exhibits, fd (rec'd 8/28/92)

December 16, 1992 HOn. Alfred L. Brennan, Sr. hearing had. Opinion to be filed.

(kv)(17) April 12, 1993 - Correspondence from Judge Brennan, Sr., Fd.

(kv)(18) April 12, 1993 - Opinion and Order of court that the decision of the County Board of Appeals be affirmed as to the Special Exception and reversed and remanded as to the variance request, fd. (ALB, SR)

| | | |
|-------------------|---|---------------------|
| Lawrence W. Clow | * | In the |
| People's Counsel | * | Circuit Court |
| Appellants | * | for |
| V. | * | Baltimore County |
| Amoco Oil Company | * | Case No. 92 CV 5341 |
| Appellee | * | |

* * * * *

OPINION AND ORDER

OPINION

This case is before this Court on appeals by both Lawrence W. Clow and the People's Counsel of the decision of the County Board of Appeals, which reversed the decision of the Zoning Commissioner.

Petitioner Amoco Oil, petitioned for special exceptions for an automotive service station, which included a convenience store and self service car wash, in a commercial zone located at the southeast corner of Philadelphia and Middle River Roads in Baltimore County, Maryland. Petitioner also sought two (2) variances: one for additional footage for its sign, and one for relief from the requirement of a ten (10) foot wide planting strip on the rear of the property line abutting a residential zone. The Zoning Commissioner denied the requested special exceptions, which rendered the variance requests moot.

Amoco Oil appealed this decision to the County Board of Appeals, which heard the case de novo. After hearing all the testimony, the Board rendered its opinion and order, which reversed the decision of the Zoning Commissioner, in that it:

PETITIONER'S
EXHIBIT NO. 4

1) Granted the special exceptions to allow the service station with the accompanying convenience store and car wash; and

2) Granted the variances for the planting strip and sign.

Lawrence Clow and the People's Counsel appealed the Board's decision to this Court. This Court must now decide:

1) Whether the County Board of Appeals erred in failing to make proper findings;

2) Whether the County Board of Appeals erred in failing to consider the Master Plan?

3) Whether the County Board of Appeals' decision was arbitrary and capricious in that it was not supported by the evidence?

4) Whether the County Board of Appeals erred in failing to follow regulatory requirements to determine reasonable public need?

5) Whether the County Board of Appeals' decision was based on an error of law in construing the standard for the granting of the special exceptions?

6) Whether the County Board of Appeals erred in failing to apply the legal requirements to qualify for a variance?

As to issue number one, the Board stated, "From the testimony and evidence, the Board will find as a fact that all the requirements of Section 502.1 of the BCZR have been met, and that Sections 230.13 and 405 have also been complied with." This meant that the Board found that each and every part of §§ 502.1, 230.13 and 405 of the Baltimore County Zoning Regulations have been met. This statement by

the Board satisfies this Court that in all aspects, the Board met its obligation in addressing the issues as to the special exception requested.

As to the second issue, the Board did not err in failing to consider the Master Plan. As both the People's Counsel and Amoco Oil point out, the Master Plan is not mandatory, but instead is only advisory. People's Counsel v. Webster, 65 Md. App. 694, 701-3 (1986). Furthermore, when the board took the Master Plan under advisement, it was not required to specifically discuss it in its opinion; instead, it was just one of many factors for the board to consider and weigh in making its decision.

The next argument that the appellants make is that the Board's decision was not supported by the evidence. This is incorrect. L. Rodney Compton, testifying for Amoco Oil, stated that there were no service stations on Route 7 from Golden Ring Road to the Harford County Line, a distance of over ten (10) miles. Furthermore, Dennis Wirtz, a senior planner from the Baltimore County Planning Office stated on cross examination that there were no service stations within the corridor study area, which encompassed approximately four and a half (4.5) miles of Philadelphia Road.

In addition to being substantial evidence from which the Board could grant the special exceptions, this was also evidence of reasonable public need, because there were no service stations on Philadelphia Road for this ten (10) mile span, and thus, both commuters and residents had to detour to Pulaski Highway to obtain the very automobile services that petitioner is proposing to offer. Furthermore, Mr. Compton testified that over 30,000 cars passed by

the proposed site daily. Thus, the area is heavily travelled and automotive services are likely to be needed by the public in this immediate area.

As to appellants' arguments that the Board's decision was based on an error because it compared the past use of the property to the proposed future use, this is over exaggerated. The Board did not in any great length compare these two uses. Instead, the Board simply noted that as a tavern, there were complaints about the patrons' behavior and noise, debris, and parking problems that would not be present if the property was used for the proposed service station. This was not meant as the Board's basis for its decision, but instead was a side comment.

As to the last issue concerning the variances, the Board states in its opinion upon review of the evidence before it, that Charles Bogdanowicz, Amoco Oil's project manager and engineer, testified that "the variance requested for the 200.3 square foot sign was a standard Amoco sign and that it needed this much area to be in conformity with the pricing requirements under State regulations." Opinion, p.2.

The Board further states in its opinion that Thomas Hoff, a landscape expert who did a feasibility study of the site, testified that "the zoning manual on gas stations requires that a six (6) foot ornamental Board-on-Board fence be erected on the property line to screen adjacent areas." Opinion, p.2.

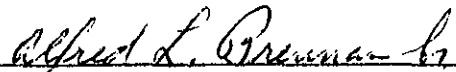
The board then concludes, "In conjunction with the granting of the special exceptions for the gas and go service station, the variances required in order to obtain a conformity to Petitioner's Exhibit No. 1 will also be granted." However, the Board failed to

make any findings of fact of any sort as relating to the requested variances. Then at the end of the findings as to the special exceptions, the Board just tacks it on as if the granting of one means the granting of all. This is an error on behalf of the Board that must be corrected.

Thus, this case will be affirmed as to the County Board of Appeals' decision on the special exceptions, and reversed and remanded on the variance issues, in order that the Board can make specific findings of fact to support its conclusion.

ORDER

It is this 12th day of April, 1993, hereby ORDERED that the decision of the County Board of Appeals be AFFIRMED as to the special exception and REVERSED and REMANDED as to the variance request, for findings consistent with this opinion.



Alfred L. Brennan, Sr.

cc: Anthony DiPaula
Michael Tanczyn
Peter Zimmerman



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

July 22, 1993

Anthony J. DiPaula, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

**PETITIONER'S
EXHIBIT NO. 5**

RE: Case No. 91-498-XA
Circuit Court Case No. 92-CV-5341
Amoco Oil Company

Dear Mr. DiPaula:

Enclosed please find a copy of the Supplemental Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter, pursuant to the Remand Order of the Circuit Court.

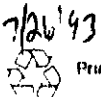
Sincerely,

Kathleen C. Weidenhammer /cw
Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Charles T. Bogdanowicz
Michael P. Tanczyn, Esquire
Lawrence W. Clow
Stanley Lloyd
Thomas J. Hoff
Nicholas Commodari
L. Rodney Compton
Gloria J. Turner
Jan Walter
Hunter E. Bush
Marie Simoes
Ed Kormanis
Chad Kormanis
P. David Fields
People's Counsel for Baltimore County

Honorable Alfred L. Brennan, Sr.
Copy /Circuit Ct File 92-CV-5341
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



| | | |
|----------------------------------|---|----------------------------|
| IN THE MATTER OF THE APPLICATION | * | ON REMAND FROM THE |
| OF AMOCO OIL COMPANY FOR A | | |
| SPECIAL EXCEPTION AND VARIANCE | * | CIRCUIT COURT |
| ON PROPERTY LOCATED ON THE | | |
| SOUTHEAST CORNER OF PHILADELPHIA | * | FOR |
| ROAD AND MIDDLE RIVER ROAD | | |
| (9519 PHILADELPHIA ROAD) | * | BALTIMORE COUNTY |
| 15TH ELECTION DISTRICT | | |
| 5TH COUNCILMANIC DISTRICT | * | CG Doc. No. <u>24</u> |
| LAWRENCE W. CLOW, PLAINTIFF | * | Folio No. <u>252</u> |
| | * | File No. <u>92-CV-5341</u> |
| ZONING CASE NO. 91-498-XA | | |

* * * * *

SUPPLEMENTAL OPINION PURSUANT TO REMAND ORDER
OF THE CIRCUIT COURT DATED APRIL 12, 1993

This case comes before this Board on a Remand Order from the Circuit Court for Baltimore County specifically designating that the Board's Opinion and Order address the variances associated with this case.

The first variance seeks relief in the area of the sign which contains 200.3 sq. ft. in lieu of three separate signs of 100 sq. ft. as permitted. Testimony from Charles Bogdanowicz was to the effect that the sign as requested is a standard Amoco sign in use in all their modern gas-and-go stations. He further testified that the State requires that all their gasoline product pricing be displayed on the sign. The Board is therefore of the opinion that to require anything other than the standard sign in use in all their stations would be an unreasonable hardship, and therefore the variance to permit this sign properly installed with proper setbacks should be granted.

The second variance concerns the requirement that a 10-foot setback be provided between the fence and the internal area of the property. Zoning regulations require that a 6-foot board-on-board fence be installed on the property line to screen the station from

the abutting properties. Testimony from Thomas Hoff, a landscape expert, was to the effect that if this variance was denied traffic flow would be impeded. He further stated that the proposed plantings testified to in this case were in excess of those required under Baltimore County regulations. From this testimony, the Board is convinced that the 10-foot setback be reduced to 5 feet on the western property line and reduced to 6 feet abutting the proposed carwash, and therefore this variance should be granted, and will so order. Accordingly, the Opinion and Order of the Board dated May 7, 1992 is supplemented as follows.

O R D E R

ACCORDINGLY, IT IS this 23rd day of July, 1993 by the County Board of Appeals of Baltimore County

ORDERED that the Opinion and Order of the Board dated May 7, 1992 be and is hereby SUPPLEMENTED as follows; and it is

THEREFORE ORDERED that the requested variance for a sign which contains 200.3 sq. ft. in lieu of three separate signs of 100 sq. ft. as permitted be and is hereby GRANTED; and it is further

ORDERED that the requested variances for a 5-foot setback on the western property line and a 6-foot setback abutting the proposed carwash, as shown on Petitioner's Exhibit 2, be and are hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

S. Diane Levero
S. Diane Levero

Michael B. Sauer
Michael B. Sauer



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

August 19, 1993

Anthony J. DiPaula, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Case No. 91-498-XA
Circuit Court Case No. 92-CV-5341
Amoco Oil Company /Clarification

Dear Mr. DiPaula:

Enclosed please find a copy of the Clarification of Supplemental Opinion and Order, as requested by letter dated July 30, 1993, issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Charlotte E. Radcliffe
Legal Secretary

encl

cc: Charles T. Bogdanowicz
Michael P. Tanczyn, Esquire
Lawrence W. Clow
Stanley Lloyd
Thomas J. Hoff
Nicholas Commodari
L. Rodney Compton
Gloria J. Turner
Jan Walter
Hunter E. Bush
Marie Simoes
Ed Kormanis
Chad Kormanis
P. David Fields
People's Counsel for Baltimore County

Honorable Alfred L. Brennan, Sr.
Copy /Circuit Ct File 92-CV-5341
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

PETITIONER'S
EXHIBIT NO. 6

9/23/93



IN THE MATTER OF THE APPLICATION * ON REMAND FROM THE
 OF AMOCO OIL COMPANY FOR A *
 SPECIAL EXCEPTION AND VARIANCE * CIRCUIT COURT
 ON PROPERTY LOCATED ON THE *
 SOUTHEAST CORNER OF PHILADELPHIA * FOR
 ROAD AND MIDDLE RIVER ROAD *
 (9519 PHILADELPHIA ROAD) * BALTIMORE COUNTY
 15TH ELECTION DISTRICT *
 5TH COUNCILMANIC DISTRICT * CG Doc. No. 24
 LAWRENCE W. CLOW, PLAINTIFF * Folio No. 252
 * File No. 92-CV-5341
 ZONING CASE NO. 91-498-XA

* * * * *
CLARIFICATION OF SUPPLEMENTAL OPINION PURSUANT TO REMAND ORDER
OF THE CIRCUIT COURT DATED APRIL 12, 1993

On July 22, 1993, this Board issued its Supplemental Opinion Pursuant to Remand Order of the Circuit Court. The Board is now in receipt of a request for clarification from Counsel for Petitioner by letter dated July 30, 1993. In response to that request, clarification is provided by way of the following Amended Order.

O R D E R

ACCORDINGLY, IT IS this 20TH day of AUGUST, 1993
 by the County Board of Appeals of Baltimore County

ORDERED that the variance requested by the Petitioner, regarding the two conflicting sections of the Baltimore County Zoning Regulations requiring a 10-foot planting strip when a service station abuts residential property be and is hereby GRANTED, and the 6-foot fence is to be erected on the southerly property line with a 10-foot planting strip on the Amoco side of the fence; and the screening abutting the carwash may be reduced to 6 feet if the carwash building is not located on the property line, all in accordance with Petitioner's Exhibit 2.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

William T. Hackett
 William T. Hackett, Chairman

S. Diane Levero
 S. Diane Levero

Michael B. Sauer
 Michael B. Sauer

PETITIONER'S EXHIBIT NO. 7

PROJECT STATUS REPORT
PREPARED BY: THOMAS J. HOFF

DATE: 03/10/95

=====

0125-01 AMOCO-9519 PHILADELPHIA R SITE DEVELOPMENT PLANS

10/27/90 Need to send preliminary plan to SHA for comment on entrance locations. We should file CRG Waiver Request this week

10/31/90 JAT filed for CRG Waiver. Planning Board will not meet until Jan on this.

11/02/90 Sent preliminary plan to SHA. Larry Brocato for review.

11/09/90 Saw Larry Brocato at County and he said he had sent me a letter on the entrances onto Philadelphia Rd.

11/13/90 Received letter from Brocato requesting one entrance on Philadelphia Rd.

11/15/90 Met w/Chuck on redesign of canopy and going to single entrance on Philadelphia Rd. Judy did the design changes and Sandy is mailing them out to Chuck as per his request.

12/03/90 Met with Chuck on some revisions. he goes to Florida in Wed. and will be back next Monday.

01/04/91 Received CRG Waiver denial letter today. (CRG Waiver No W-91-01)

01/21/91 Nick has set appointment for filing zoning petition for 02/26/91 @ 11:45 am.

01/30/91 Talked to Chuck. we are go on zoning and CRG plans. Tony DiPaula is the attorney.

02/08/91 Set Pre Dev Con for 2/12 @ 10:30 am and called Pilson and told him about stream within 500'.

02/06/91 Chuck left message that he will not be able to do Pre Dev Con in the next two weeks. He asked if I could handle this myself. I left a message w/him that I would do the Pre Dev Con myself.

02/08/91 Chuck will not be able to meet on design changes until at least next Wednesday

02/11/91 Talked to Zoning. John Lewis will be handling the filing meeting. asked for him to call me to setup pre file meeting.

02/11/91 Talked to Tony DiPaula. he did not know about filing date. Nick did not call him. I told Tony I would get a plan to him end of this week or early next week. I would be a prefile meeting w/Zoning. I would have Plat & Description done ready for filing.

02/12/91 Had Pre Dev Con. Ran into several problems, including: Master Plan, Historic Bldg & others. Talked to DiPaula to give him status. Talked to McGrain about historic bldg. he indicated that it was not very important historically and court would probably not fight to save it.

02/13/91 Met w/Chuck. we worked out redesign. He told us to move full speed ahead on project.

02/19/91 Talked to Chuck on signage, use same free standing sign as Carroll Plaza w/an additional panel below 'c' store sign. same size for car wash sign. Canopy will have 'AMOCO' on 3 sides. Bldg will have 'FOOD SHOP' on one side. Car wash will have 'CAR WASH' on one side. J. Lewis out sick so no pre file mt today.

02/20/91 Met w/Nick and gave him plan to review. Talked to DiPaula. he needs data from me no later than tomorrow afternoon if we want to make Tuesday filing Date.

02/21/91 Checked on Zoning & Bldg permit histories, nothing in the files.

MICROFILMED

02/21/91 Talked to DiPaula, he wants to hold zoning hearing until after CRG approval. Called Chuck and explained it to him. He said he would go w/Tony's opinion. Called Nick and asked him to cancel filing date.

02/22/91 Talked to Nick. He wants to keep appointment w/Lewis for a dry run. He said he cleared it w/Chuck. I told Nick I would meet him at the Zoning Office w/plan on Tuesday. I called Tony and explained all this to him, he said OK.

02/26/91 Met w/Lewis & reviewed zoning plat.

02/27/91 Talked to RJT on SWM he is going to try to get the state to allow us to discharge to their system without SWM control

03/08/91 Check prints of CRG Plan submitted today.

03/12/91 Submitted traffic form, they said they would distribute. Got water and sewer form done, hold in file until county asks for it.

03/15/91 Dropped off Plats and Descriptions to DiPaula.

03/16/91 Talked to Larry Pilson about drainage ditch near site. He said he would have someone call me back.

03/18/91 Talked to DiPaula, he said he was going to review plat and description tonight. If he needs anything he will call.

03/19/91 Talked to DEPRM about ditch. If I give them somemore info on site and request them to inspect, they will do so.

03/22/91 Talked to Pat Okeefe about CRG check print comments. He said I could pick them up on Monday.

03/29/91 Chuck is sending me check for CRG filing fee Should receive by end of next week

04/11/91 Submitted package for CRG Meeting.

Revised Zoning Plat per DiPaula's comments and took new prints to him. He called me back and said property had changed hands. He will get the new owners name but tomorrow's filing is postponed.

04/17/91 Chuck left a message that he will not be able to attend the CRG meeting on May 9, 1991 but he will attend the Pre CRG Meeting. He said he beleived I could handle the CRG Meeting for him. Also, Nick will be there. Pre CRG is set for May 29 @ 11am.

04/19/91 Talked to Chuck about Zoning Pre CRG comments, we decided that:

- 1) I would talk to Carl Richards about backing off on putting so much stuff on the CRG Plan.
- 2) I would talk to Tony about additional special exception to use BL land for car wash stacking.

04/22/91 Talked to Tony DiPaula about Zoning Pre CRG Comments. He said we should probably go ahead on using BL land for stacking. I faxed him a copy of the comments.

04/23/91 Received SHA comments, they want us to move entrance and relocate curb & gutter. I need to talk to Larry about CRG. Called him but he is out at County today I will call him tomorrow.

04/25/91 Talked to DiPaula, we are going to wait until after PreCRG Meeting to decide on what to do about filing zoning petition.

04/29/91 Talked to RJT, he has not submitted info that State requested on SWM.

05/10/91 Talked to John McGrain, the meeting last night decided that the building did not have historical significance and he was sending a memo to that effect to Joe Marnato.

05/24/91 Talked to Tony, we have set meeting for 6/3 at 9am at our office.

05/31/91 Talked to Tony's secretary, he cannot make Monday meeting. He will call me to reschedule. Called Chuck and left message.

Meeting has been rescheduled for 6/6 at 9:30am, need to confirm with Chuck.

06/10/91 Talked to Nick, he is setting meeting for Friday 6/14 to review plat.

06/13/91 Met w/Tony, we talked about having a schematic LAP reviewed by Planning to be submitted at Hearing as exhibit. We are going to try to do this.

06/25/91 Item No 490, Zoning Case.

06/26/91 Talked to Tony, he has item no, we are OK and waiting for Hearing date.

07/01/91 Talked to Chuck, Hearing is set for 8/23 at 9am. Chuck will probably not be able to attend but Rod Compton should be there.

07/23/91 Got letter from DiPaula about Mt on 8/16, called his office to confirm. He later contacted me to change meeting date to 8/22 at 9am his office.

08/22/91 PRE-HEARING MT AT DIPAULA'S.

08/23/91 ZONING HEARING, WENT WELL. NO HEAVY HITERS SHOWED UP AGAINST US.

09/14/91 RECEIVED LETTER FROM ZONING SPECIAL ESCEPTION WAS DENIED.

09/26/91 TALKED TO TONY ABOUT MARANTO SAYING THAT HE WOULD STILL FIGHT FOR LANDSCAPE BUFFER EVEN IF WE WIN BOARD OF APPEALS.

10/11/91 RECEIVED LETTER FROM DIPAULA, APPEAL HAS BEEN FILED.

10/14/91 TALKED TO CHUCK, TOLD HIM \$500 FOR MARK TO DO SURVEY STUFF FOR CHICAGO. HE SAID GO AHEAD. (CHUCK SAID WE HAD TALKED ABOUT THIS ALREADY BUT I DID NOT HAVE A LOG ENTRY TO THAT EFFECT). I TOLD MARK TO GO AHEAD.

01/06/92 TALKED TO TONY ON APPEAL DATE, HE HAS NOT RECEIVED A DATE YET. HE DOES NOT EXPECT A DATE EARLIER THEN APRIL.

01/17/92 RECEIVED APPEAL DATE, [04/09/92] AT 10:00 A.M..

04/09/92 HAD BOARD OF APPEALS HEARING, IT WENT WELL, WAITING FOR DECISION.

05/09/92 RECEIVED ORDER FROM BOARD OF APPEALS. ORDER GRANTED 5/7/92, CASE NO. 91-498-XA.

05/12/92 TALKED TO CHUCK. HE WANTS TO MAKE C-STORE 24'x52'. WE TALKED ABOUT APPLYING FOR A RAZING PERMIT AND MAYBE A TANK PERMIT, NICK WILL PROBABLY HANDLE PERMIT APPS., BUT HE MAY NEED SOME PLANS.

05/18/92 SENT CHUCK COST ESTIMATE, HE CALLED ME BACK AND TOLD ME TO PROCEED ASAP. WE TALKED ABOUT HOW LONG WE HAVE TO GET UNDER CONSTRUCTION. NICK SAID BY OCT, IN THINK WE HAVE LONGER, I SUGGESTED TO CHUCK THAT HE GERTTONY'S OPINION.

05/20/92 TALKED TO JOSE, WE SHOULD SUBMIT 19 PRTS. FOR NEW PRE CRG MT.

05/26/92 TALKED TO NICK, HE WANTS TO FILE FOR BLDG. PERMITS NOW. HE DID NOT KNOW IF WE NEEDED AN APPROVED CRG PLAN TO FILE PERMIT. HE IS GOING TO CHECK AND TALK TO CHUCK.

06/05/92 SUBMITTED CRG PLAN FOR NEW MT. MET W/CHUCK, WE ARE TO PROCEED THRU SRG. CLOW HAS APPEALED CASE TO CIRCUIT COURT.

06/09/92 TALKED TO LES, HISTORICAL BLDG. PROBLEM STILL EXISTS, MUST DEAL W/PLANNING OFFICE. MY HAVE TO GO TO PLANNING BOARD

TO RESOLVE.

06/09/92 TALKED TO JOHN MCGRAIN (HISTORICAL GUY IN PLANNING), HE SAID THIS SITE DOES NOT HAVE TO GO TO PLANNING BOARD. HE SAID HE TALKED TO JOE MARANTO TODAY ABOUT THIS AND THAT JOE AGREED W/HIM. I CALLED LES AND TOLD HIM THIS. LES SAID HE TALKED TO JOE AND JOE SAID WE NEEDED TO GO TO PLANNING BOARD. I HAVE A CALL IN FOR JOE.

06/09/92 TALKED TO JOE, HE SAID THE WAIVER PROCESS IS THE BEST WAY TO GO. WAIVERS ARE FILED IN ZONING AND COST \$250. ALSO TALKED TO MCGRAIN ABOUT JOE'S DECISION. TOLD HIM I WOULD KEEP HIM POSTED. CALLED CHUCK AND TONY AND LEFT MESSAGES.

06/09/92 TALKED TO TONY, HE IS NOT FAMILIAR W/DEV. REGS. WE DISCUSSED THE OPTIONS AND DECIDED THAT WE SHOULD PROBABLY DO THE WAIVER, IF CHUCK AGREES.

06/10/92 TALKED TO JOHN MURACH, BG&E, ON POLE RELOCATIONS. HE WILL HAVE SOMEONE CONTACT ME FOR PRINTS OF SITE PLAN. TALKED TO AL @ BG&E, WE ARE SCHEDULED TO MT NEXT TUES. 11 AM ON SITE. BRING 2 COPIES OF PLAN AND INFO ON LOAD REQUIREMENTS.

06/15/92 TALKED TO CHUCK, GO ON WAIVER. HE MAY MEET ME @ SITE ON WEDS.

06/17/92 TALKED TO CHUCK, INFO FOR BG&E. WOULD LIKE GAS SERVICE TO CAR WASH. ELECTRIC: 3 PHASE, 4 WIRE, 208 SERVICE SAME LOAD AS 3106 EMMORTON RD.

06/17/92 SITE VISIT W/BG&E, THEY SAID THE BIG STUFF IS C&P. HE SAID HE WOULD FIND OUT WHO I SHOULD TALK TO AT C&P AND GIVE ME A CALL. CALLED CHUCK AND LEFT A MESSAGE.

06/19/92 TALKED TO CHARLIE KIMBLE, C&P, WE HAVE SITE VISIT SET FOR 6/23 @ 9AM. TOLD CHUCK.

06/23/92 MET W/C&P @ THE SITE. CHARLIE WILL WORK ON ESTIMATE AND GET BACK TO ME. THEY MAY WANT TO PUT CABLE UNDERGROUND. HE ASKED FOR MY CONTACT PERSON @ BG&E, I CALLED HIM LATER AND GAVE HIM NAME.

07/13/92 TALKED TO CHARLIE KIMBALL, C&P, COST TO MOVE C&P CABLES AND POLES IS \$55,000. THEY SHOULD BE NOTIFIED AT LEAST 90 DAYS PRIOR TO START OF CONSTRUCTION, MORE TIME IS BETTER.

07/13/92 TALKED TO CHUCK & TONY ABOUT PLANNING BOARD MEETING THIS WEEK. I TOLD THEM I WOULD ATTEND TO MAKE SURE IT GOT APPROVED. CHUCK SAID OK.

07/17/92 TALKED TO CHUCK ABOUT WAIVER APPROVAL, NEW CRG DATES (TENTATIVE 8/3 AND 8/13) AND ABOUT SCHEDULE FOR CONSTRUCTION DOCS.

07/20/92 TALKED TO TONY ABOUT WAIVER APPROVAL AND CIRCUIT COURT APPEAL.

07/22/92 TALKED TO LES, WE ARE CONFIRMED FOR CRG ON 8/13.

07/24/92 TALKED TO CHUCK ABOUT WAIVER. HE WILL NOT BE @ PRE CRG, CALL HIM AFTER PRE CRG FOR MT. HE WILL ATTEND FULL CRG.

08/03/92 HAD PRE CRG MT., NO PROBLEMS, SOME MINOR THINGS TO FIX.

08/04/92 MET W/RAHIM AND JOHN LEWIS ON STACKING SPACES FOR CAR WASH BOTH AGREED THAT THERE WAS NO PROBLEM W/THE ADJUSTMENT WE MADE.

08/05/92 TALKED TO AVERY, HAVE MT SET FOR TOMORROW ON LAP. TALKED TO CHUCK, START WORKING ON PROPOSAL FOR REST OF JOB. GET COST EST FROM MARK ON ADDITIONAL FIELD WORK AND TALK TO HIM ABOUT SCHEDULE

TALKED TO RJT, HE SENT ME SOME COST EST INFO SHOULD BE IN FILE.

08/06/92 MET W/AVERY, WE NEED TO INCREASE PLANTING REQUIRED TO INCLUDE CLASS 'A' ALONG RESIDENTIAL USE PROPERTY LINES.

TALKED TO TOMY ABOUT POTTING IN UNDERGROUND TANKS AS A WAY TO GRANDFATHER SPECIAL EXCEPTION. I TOLD HIM I WOULD TALK TO CHUCK.

08/07/92 WE MAY HAVE PROBLEM W/POWER LINES OVER PLANTING AREAS. TALKED TO CHUCK ABOUT RAZING AND TANK PERMITS. SUGGESTED WE START THE PERMIT PROCESS ON THEM NOW. HW SAID HE WOULD START WORKING ON IT.

08/20/92 TALKED TO TONY, HE NEEDS SOME DOCUMENTATION FROM THE COUNTY ON THE CRG APPROVAL. I CALLED LES AND ASKED HIM TO GET ME SOMETHING BY NEXT WED. HE SAID HE WOULD TRY.

09/02/92 TALKED TO CHUCK, WE ARE CLEAR TO DO ADDITIONAL SURVEY WORK AND \$1K OF DESIGN.

10/12/92 TALKED TO CHUCK, HE HAS NOT CONTACTED CONTRACTOR TO DO SIDEWALK YET.

10/27/92 TALKED TO TONY, CIRCUIT CT POSTPONED TILL DEC. HE THINKS THAT THE ZONING WAS NOT CHANGED ON THE MAPS. I TOLD HIM I WOULD CHECK THIS OUT TOMORROW AND GIVE HIM A CALL (ITEM #6004). HE IS GOING TO CHECK ON CRG APPEAL SCHEDULE.

10/28/92 MET W/PLANNING ON ZONING ITEM. WE HAVE KEPT OUR CNS DISTRICT. CALLED TONY TO CONFIRM.

11/02/92 RECEIVED CRG APPEAL NOTICE. 1/26/93, @ 10AM.

11/17/92 DEC. 3RD, CIRCUIT COURT, TALKED TO CHUCK.

12/02/92 TALKED TO NICK, HE NEEDS SQ. FOOT OF BLDG. TO BE RAZED FOR PERMIT. HE WILL CALL ME BACK IF HE NEEDS A PLAT.

12/02/92 TALKED TO TONY, NEW CIRCUIT COURT DATE, 12/16 @ 9:30 AM. CALLED CHUCK AND TOLD HIM. NICK IS SUPPOSED TO GET IN TOUCH WITH ME ABOUT PERMITS. I RECOMMENDED TO CHUCK THAT WE FILE FOR RAZING PERMIT AND TAKE DOWN BLDG. ONCE WE CLEAR THE APPEALS.

12/11/92 TALKED TO CHUCK ABOUT ZONING, SITE PLANS AND PERMITS. AT THIS TIME CHUCK SAYS WE ARE GOING TO FINISH PLANS AND GET ALL NECESSARY APPROVALS IN 1993 AND GO TO CONSTRUCTION IN 1994. WE WILL PROBABLY RAZE EXISTING BLDG. IN 1993.

01/06/93 TALKED TO TONY DIPAULA, HE ASKED ME TO GET COPIES OF NEW ZONING MAPS FOR CRG APPEAL.

01/26/93 HAD CRG APPEAL HEARING BEFORE THE BOARD OF APPEALS. BEFORE ACTUAL CRG HEARING, THEY RULED THAT WE NEED TO GO BACK TO THE CRG TO HAVE THE ISSUE OF POSSIBLE CONFLICT WITH THE MASTER PLAN TAKEN BEFORE THE PLANNING BOARD. BOARD OF APPEALS WILL ISSUE AN ORDER TODAY. I WILL TRY TO GET THIS THING ON THE FEBRUARY PLANNING BOARD SCHEDULE BUT MOST LIKELY IT WILL GO IN MARCH.

01/26/93 TALKED TO RJT, HE HAS NOT DONE ANYTHING ON SWM OR RD. PLAN. I TOLD HIM ABOUT CRG APPEAL. TOLD HIM THERE WAS NO HURRY ON THESE PLANS.

01/27/93 TALKED TO LES, HE IS TRYING TO FIND OUT FROM PLANNING IF WE CAN STILL MAKE THE FEB. PLANNING BOARD, SET FOR 2/18. TALKED TO TONY ABOUT PLANNING BOARD MT. TALKED TO LES, I NEED TO GET COPY OF THE ORDER FROM THE BOARD AND GO MEET W/COVAHEY TO SEE WHAT THE PROPER PROCEDURE IS.

01/29/93 MET W/COVAHEY AND PAT KELLER ON PLANNING BOARD. PAT SAID HE WOULD TRY TO GET IT ON AGENDA. HE WILL CALL ME NEXT MONDAY OR TUESDAY.

02/02/93 TALKED TO KELLER. HE HAD NOT DONE ANYTHING YET. CALL HIM TOMORROW.

02/03/93 TALKED TO KELLER. IT WILL GO TO PLANNING BOARD IN FEB. FOR RESOLUTION WHICH REFERS IT TO PLANNING STAFF FOR RECOMMENDATION. IT WILL GO TO BOARD IN MARCH FOR DECISION. PAT WILL SEND ME LETTER ON THIS.

TALKED TO CHUCK, HE WILL BE OUT OF TOWN ON THE 18TH FEB.
TALKED TO TONY, HE WILL ALSO BE OUT OF TOWN.
02/16/93 KELLER DID NOT GET US ON AGENDA FOR FEB. I AM PISSED. I
CALLED TONY AND TOLD HIM. I CALLED PAT KELLER ABOUT
THIS. HE APOLOGIZED PROFUSELY. HE PROMISED
ME WE WOULD BE ON MAR. AGENDA. I TOLD HIM I NEEDED IT IN
WRITING. HE SAID HE WOULD.

02/23/93 TALKED TO CHUCK. GAVE HIM STATUS UPDATE. WE AGREED THAT
WE NEED TO GO ON THE ATTACK W/THIS PLANNING BOARD THING.
I TOLD HIM I WOULD GET W/TONY ON THIS AFTER TONY'S
VACATION.

02/24/93 TALKED TO KELLER'S SEC. PAT ABOUT LETTER ON PLANNING
BOARD. SHE SAID SHE WOULD CALL ME BACK.

02/25/93 SAME AS 2/24.
TALKED TO TONY, HE ASKED ME TO CHECK W/LES TO SEE IF LES
MADE A WRITTEN REQUEST TO KELLER ABOUT PLANNING BOARD. HE
IS GOING TO CONTACT KELLER ALSO. I TOLD HIM I WOULD CHECK
W/LES ON WRITTEN REQUEST.
TALKED TO AL PRUITT, BG&E, I SHOULD CALL HIM 3 MONTHS
BEFORE WE GO TO CONSTRUCTION.

03/01/93 TALKED TO KELLER ABOUT WRITTEN CONFIRMATION THAT WE ARE ON
PLAN. BOARD AGENDA FOR MARCH. HE SAID HE HAD TO CHECK
W/SOMEBODY AND HE WOULD GET BACK TO ME W/A LETTER.

03/01/93 TALKED TO LES, HE DID NOT DO A LETTER ON REMANDING BACK TO
PLAN. BOARD. HE RECOMMENDED I DEAL W/COVAHEY ON THIS.

03/01/93 TALKED TO GLEASON, TOLD HIM GRADING PLANS WERE IN THE
MAIL.

03/04/93 TALKED TO KELLER, HE SAID WE ARE ON AGENDA FOR 3/18 AND HE
WILL SEND ME A LETTER ON THIS. PLANNING STAFF IS EXPECTED
TO STATE THAT NO MASTER PLAN CONFLICT EXISTS. WE SHOULD
BE THERE AND BE PREPARED TO ADDRESS THE BOARD. TALKED TO
TONY ABOUT MY CONVERSATION W/KELLER.

03/09/93 TALKED TO TONY, NO LETTER FROM KELLER YET. IF I DON'T
HAVE LETTER BY THURSDAY, I CALL KELLER.

03/12/93 TALKED TO DENNIS WERTZ, HE SAID WE WERE ON AGENDA AND I
CAN GET A COPY OF AGENDA AND STAFF REPORT.

03/17/93 TALKED TO CHUCK, HE SAID HE WOULD BE AT PLAN. BOARD MT.

03/19/93 TALKED TO TONY, HE THINKS WE NEED A NEW CRG MT ON THIS. I
TOLD HIM I WOULD TALK TO LES AGAIN.

03/19/93 ATTENDED PLANNING BOARD MT. OUR ISSUE OF MASTER PLAN
CONFLICT WAS RULED IN OUR FAVOR 6-4.

03/19/93 TALKED TO LES ABOUT WHAT HAPPENS NEXT. HE THOUGHT THAT
NOTHING MORE WOULD NEED TO BE DONE AND CRG APPROVAL WOULD
STAND AS IS. I HAVE A CALL INTO TONY ON THIS.

03/22/93 TALKED TO TONY, HE WILL CALL BOB COVAHEY ON CRG ISSUE.

03/22/93 TALKED TO LES, HE TALKED TO BOB COVAHEY, BOB SAID WE DID
NOT NEED TO DO ANOTHER CRG MT. HE AGREED W/LES THAT WE
ARE 'OK' WITH THE CRG.

03/24/93 TALKED TO TONY, HE TALKED TO BOB COVAHEY, COVAHEY WILL
TALK TO OFFICE OF LAW ABOUT WHAT TO DO ON CRG.

03/29/93 TALKED TO TONY, HE IS WAITING FOR WORD FROM BOB COVAHEY.

04/05/93 TALKED TO TONY, COVAHEY IS SCHEDULING A NEW CRG MT TO
FORMALLY ACCEPT THE PLANNING BOARD RULING. TONY DID NOT
KNOW IF WE NEEDED TO SUBMIT A PLAN. HE ASKED ME TO CHECK
W/LES.

04/06/93 TALKED TO LES, NEW CRG IS SET. PRE CRG, 4/12, 10:30 AM,
RM 325. FULL CRG 4/22, 10 AM, RM 301. CALLED TONY &
CHUCK.

04/20/93 TALKED TO TONY, WE WILL GO TO CRG MT TO GET PLANNING BOARD
ISSUE RESOLVED BUT WE WILL PROBABLY GET CONTINUED FOR
CIRCUIT COURT REMAN TO BOARD OF APPEALS.

04/21/93 TALKED TO LES, HE SAID DON'T BRING UP CIRCUIT COURT
VARIANCE ISSUE AT CRG MT.

04/22/93 HAD FULL CRG MT. TANSEN WAS NOT THERE. WE GOT APPROVAL.

05/05/93 TALKED TO TONY, WAIT TILL MAY 12TH FOR END OF APPEAL
PERIOD ON CIRCUIT CT.

05/13/93 TALKED TO TONY, HE HAS NOT HEARD OF ANY APPEAL ON CIRCUIT
CT. HE WILL CHK W/THE COURT.

05/24/93 TALKED TO TONY, HE DOES NOT THINK CIRCUIT CT WAS APPEALED,
BUT HE DOES NOT HAVE OFFICIAL WORK YET.

05/25/93 TALKED TO ZADM, AMOCO CRG WAS NOT APPEALED. CALLED TONY,
LEFT MESS.

05/28/93 TALKED TO CHUCK ABOUT STATUS OF CRG & CIRCUIT CT.

06/29/93 TALKED TO CHUCK, HE WANTS ME TO CALL HIM MID-JULY TO TALK
ABOUT FINISHING PROJECT.

07/01/93 TALKED TO TONY, THE BOARD HAS NOT DONE IT YET. HE HOPES
TO GET SOME WORD ON WHEN THEY WILL FINISH IN MID-JULY.

07/27/93 TALKED TO CHUCK ABOUT CONFUSING ORDER FROM BOARD & PROJECT
RESTART. HE WANTS ME TO WORK W/TONY ON ORDER & HOLD ON
RESTART.

07/28/93 TALKED TO TONY, HE DOES NOT LIKE THE WAY THE ORDER IS
WRITTEN. HE WILL DO A LETTER TO THE BOARD. HE WILL FAX
IT TO ME TO REVIEW PRIOR TO IT GOING TO THE BOARD.

08/24/93 TALKED TO CHUCK, TOLD HIM ALL OPPOSITION WAS DROPPED. HE
SAID HE WOULD TALK TO THE BOSSES. 50/50 CHANCE WE WILL
FINISH THIS YEAR.

10/01/93 TALKED TO CHUCK, HE WANTS ME TO CALL HIM MONDAY TO SETUP
MT ON REMAINING WORK TO DO.

11/23/93 TALKED TO GUY @ C&P, HE WILL HAVE CHARLIE CALL ME NEXT
TUESDAY.

11/23/93

11/29/93 TALKED TO CHRIS PACKARD, BG&E 7225 WINDSOR BLVD., 21244, SEND
HER LOAD REQUIREMENTS & SITE PLAN (2). DO WE WANT GAS FOR
ANYTHING? 265-4282.

11/30/93 TALKED TO C&P HAVE MEETING W/THEM @ SITE 1PM TOMORROW. BRING
PLANS.

11/30/93 MET W/CHUCK TO REVIEW GRADING & OTHER ISSUES, WE ARE GO
FULL SPEED. HE WOULD LIKE BID JOB IN APRIL 1994.

12/01/93 MET W/C&P ON SITE, JON CONGDON, 393-6435. HIS PRELIMINARY
ESTIMATE IS \$75 K OVERHEAD, \$130 K
UNDERGROUND. CONSTRUCTION TIME, 60 - 90 DAYS OVERHEAD, 3-4
MONTHS UNDERGROUND. AS SOON AS WE MAKE OUR FINAL
DECISION, WE SHOULD CALL HIM TO START PAPERWORK.

12/08/93 TALKED TO CHUCK, GET C&P AND BG&E TO SEND CONTRACTS, GO
OVERHEAD.

12/09/93

12/09/93 TALKED TO JON CONGDON @ C&P, HE WIL PREP CONTRACT FOR
OVERHEAD RELOCATION.

12/10/93 PREP & MAIL PLANS & LOAD DATA TO BG&E.

12/15/93 TALKED TO CHRIS PACKARD, SHE GOT PLANS & IS WORKING ON
CONTRACT.

12/16/93 TALKED TO RJT, HE HAS NOT DONE FINAL PROFILE FOR
RDS. NOTHING ON DRAINS OR SWM.

12/23/93 TALKED TO JON CONGDON, C&P, HAS BEEN TALKING TO
BG&E, TOGETHER THEY WANT TO PUT LINES UNDERGROUND. C&P WILL
SPLIT THE COST W/ AMOCO IF AMOCO GIVES EASEMENT FOR
LINES. THIS EASMENT WOULD BE ALONG PROPERTY LINE OF

PHILADELPHIA RD. & MIDDLE RIVER ROAD. AMOCO'S COST WOULD THEN BE AROUND \$65K. JON RECOMMENDED I TALK TO JOE SPERANZELLA & BG&E (561-2638) APPARENTLY CHRIS PACKARD IS NOT HANDLING THIS JOB.

12/23/93 TALKED TO CHRIS PACKARD, SHE NEEDS INFO SHEETS ASAP. TOLD HER ABOUT MY CONVERSATION W/ JON. I WILL NEED TO COORDINATE W/ BOTH HER & JOE @ BG&E.

01/07/94 TALKED TO CHUCK, WE ARE BACK TO ORIGINAL BLDG. TALKED TO HIM ABOUT BG&E & C&P. HE WILL TRY TO GET LOADS TO ME NEXT WK. LEFT MSG. W/ PACKARD & CONGDON.

01/10/94 TALKED TO SOMEONE @ W. DUVALL'S OFFICE, THEY ARE DOING EASEMENT WORK FOR C&P. I TOLD HIM I WOULD DROP OFF COPY OF OUTLINE PLAT.

01/10/94

01/17/94 CHUCK IS SENDING ME ELECTRIC PLANS & DATA SHEETS TO GIVE TO BG&E FOR LOADS.

01/21/94 BILL OGDEN, BG&E, 265-4074 IS REPLACING CHRIS PACKARD AS CONTACT PERSON.

01/31/94 SENT LOAD DATA TO OGDEN.

02/15/94 TALKED TO OGDEN ABOUT POLES & UNDERGROUND. HE SAID HE WOULD PRICE BOTH WAYS.

03/04/94 TALKED TO CHUCK, HE NEEDS TO GET PERMIT ASAP. TOLD HIM I WOULD PREP A TIMELINE EARLY NEXT WK & GET MOVING ON THE S/C PLANS. TALKED TO SUE WUNDER, RD PLANS WERE LOGGED IN 2/24/94. REVIEW TIME SHOULD BE 3 WEEKS.

03/15/94

03/15/94 TALKED TO MR. ZECH (291-3119) ASKED HIM ABOUT COST ESTIMATES, HE SAID KEN HAMMOND WOULD GET BACK TO ME.

03/15/94 CALLED KEN HAMMOND, BG&E, HE WAS NOT IN, (291-3114) I THINK HE IS IN CHARGE OF ENGINEERING FOR THIS JOB. STILL WAITING FOR PRICES ON UNDERGROUND & OVERHEAD.

03/15/94 TALKED TO JON CONGDON, HE IS WAITING FOR STUFF FROM BG&E. HE TALKED TO HAMMOND LAST WEEK. HE DOESN'T NEED ANYTHING MORE FROM US AT THIS TIME.

03/17/94 TALKED TO KEN HAMMOND, HE SHOULD HAVE PRELIMINARY COST ESTIMATES ON UNDERGROUND & OVERHEAD FOR ME NEXT TUESDAY.

03/31/94 TALKED TO RJT, WE HAVE PROBLEM W THE INV. FOR THE STORM DRAIN OUTFALL. RJT WILL SUBMIT 3 ALTERNATIVES TO SHA & COUNTY FOR HOW TO SOLVE PROBLEM. HE SHOULD MAKE THIS SUBMITTAL MON 4/4/94.

04/01/94 TALKED TO KURT KUKELBERG, JOE MARANTO IS PROJECT MANAGER. TALKED TO JOE MARANTO, HE SAID CONTACT DON RASCOE FOR INTRODUCTION MEETING TO SET SCHEDULE FOR REVIEW OF AMOCO DRAWINGS. THESE MTS ARE ON WEDS. WE WILL PROBABLY NEED TO RESOLVR STORM DRAIN OUTFALL W SHA BEFORE DOING MEETING.

04/06/94 PICKED UP SCD COMMENTS. RJT SUBMITTED ST. DRAIN TO SHA & COUNTY YESTERDAY. TALKED TO CHUCK ON STATUS.

TALKED TO KEN HAMMOND, UNDERGROUND WOULD COST OVER \$80K. TOLD HIM TO PREP COST FOR UNDERGROUND. I TOLD HIM I WOULD CALL HIM FRIDAY FOR COST.

HAMMOND CALLED BACK, UNDERGROUND ESTIMATE IS \$22K. TOLD HIM I WOULD CALL HIM BACK TO TELL HIM TO GO ON CONTRACT AND GIVE HIM START DATE.

04/08/94 TALKED TO CHUCK ABOUT BG&E. HE WANTS TO GO OVERHEAD. TALKED TO HAMMOND, TOLD HIM GO ON CONTRACT OVERHEAD WITH A JUNE 1ST START DATE.

04/19/94 TALKED TO CHUCK ABOUT WATER METER. HE WOULD LIKE TO USE EXSISTING ONE. ASKED ME TO CHECK IT OUT W COUNTY. METER ADDRESS IS 9519 PHILADELPHIA RD. ACC NO. 04076832007.

04/20/94 REVISED GRP & SCP SUBMITTED FOR 2ND REVIEW.
 04/21/94 TALKED TO RJT, BOB MSALL SAID HE TOOK ST. DRAIN PLANS TO HYDROLOGICS SECTION FOR REVIEW YESTERDAY.
 04/27/94 TALKED TO RJT, SHA COMMENTS ON ST. DRAIN ARE DUE ABOUT 5/4.
 05/03/94 TALKED TO RJT, WHEN SWM WAIVER WAS GRANTED, DEPRM SAID THEY WOULD NOT RELEASE GRP PERMIT UNTIL WQ INLET WAS APPRIVED. RJT SAID CHUCK DID NOT WANT TRENCH DRAIN, I TOLD HIM I WOULD TALK TO CHUCK.
 05/03/94 SCP SUBMITTED TO DISTRICT FOR SIGS.
 05/13/94 PICKUP APPROVED S/C PLAN @ SCD.
 05/16/94 SUBMITTED GRP & S/C MYLARS TO DEPRM FOR SIGS.
 05/17/94 TALKED TO RJT, HE GOT LETTER FROM SHA TODAY SAYING IT WOULD BE AT LEAST TWO MORE WEEKS.
 05/23/94 TALKED TO RJT, SHA REVIEWER IS STILL WORKING ON COMMENTS. RJT WILL CALL BOB SMALL TO TRY TO GET SOME HELP W THIS GUY.
 05/25/94 TALKED TO RJT ABOUT COMMENTS FROM SHA. RJT WILL DO SOME EVALUATION & GET BACK TO ME.
 05/31/94 TALKED TO CHUCK ABOUT GRP PERMIT. HE WILL CALL NICK ABOUT DOING APPLICATION. NICK WILL CALL ME FOR PLANS.
 06/06/94 TALKED TO RJT, HE WILL DO R/W PLAT FOR SWM EASEMENT ONCE HE HAS FINAL DESIGN TIED DOWN.
 06/22/94 NICK LEFT MESSAGE. GRADING PERMIT #B201398 IS BEING HELD BY SEPRM PENDING SWM WATER QUALITY APPROVAL. I CALLED NICK, LEFT MESSAGE THAT WE ARE AWARE OF THIS AND THAT SHA IS HOLDING UP THE PROCESS.
 07/05/94 TALKED TO RJT, HE HAS NOT HEARD BACK FROM SHA ON DRAIN.
 07/06/94 TALKED TO RJT, BOB SMALL IS ON VACATION, NO ONE KNOWS WHAT HEPPENED TO DICUMENTS WE SENT HIM. WILL HAVE TO WAIT UNTIL BOB GETS BACK.
 07/11/94 TALKED TO RJT, COUNTY WILL NOT DO ANYMORE REVIEW UNTIL WE GET A PROJECT MANAGER & A SCHEDULE. RJT WILL CALL DON RASCOE TO SETUP SCHEDULE MEETING.
 07/13/94 RJT HAS SET PHASE TWO MT FOR 7/20/94 @ 1:30 P.M.
 07/15/94 TALKED TO RJT, HE TALKED TO ALLEN @ SHA. ALLEN SAID HE WOULD REVIEW SOON. I ASKED RJT TO CALL ALLEN DAILY UNTIL WE GOT WHAT WE NEEDED.
 07/20/94 HAS PHAST TWO MT. SCHEDULE NOTES ARE IN FILE
 08/03/94 TALKED TO KEN HAMMOND, BG&E, TOLD HIM WE WERE STILL 3 MONTHS FROM START OF CONSTRUCTION. THAT PUTS US IN NOVEMBER, UNKNOWN IF CONSTRUCTION WOULD START AT THAT TIME.
 08/04/94 TALKED TO CHUCK, HE SAID MAIN OFFICE WILL PROBABLY NOT DECIDE ON CONSTRUCTION SCHEDULE UNTIL AFTER PERMITS ARE RELEASED.
 08/10/94 MET W WALT ON R/W PLATS, GAVE HIM COPIES OF PLATS W SUPPORT DEEDS & STUFF. HE STILL NEEDS CERTIFICATE OF TITLE.
 MET W SUE WIMBLEY, SHE NEEDS \$1K FEE TO GET JOB ORDER NUMBER.
 SUE WUNDER NEEDS COPIES OF R/W PLATS. WALT SMITH IS PERSON TO SEE ON FEE IN LIEU OF.
 08/11/94 TALKED TO WALT SMITH, NO MORE FEE IN LIEU OF. MUST DO PWA, THAT IS NOW DEVELOPERS RESPONSIBILITY. NEED TO GET NEW DEV FIRMS MANUAL FROM ZADM.
 08/12/94 TALKED TO SUE WIMBLEY ABOUT \$1K FEE. SHE SAID IT WILL PROBABLY BE DROPPED BY END OF MONTH. IF I WANT TO KEEP DEPRM & LAND AC MOVING, I SHOULD MEET W THEM AND TALK THEM ONTO DOING REVIEWS WITHOUT THE FEE.
 08/16/94 TALKED TO BOB CHALKE ABOUT REVISING GRP. HE SAID SEND HIM

TWO PRTS W REVISIONS SHOWN IN RED W OLD CHK PRT IF I STILL
HAVE IT.SEND THRU ZADM.

08/18/94 TALKED TO BAB CHALKE,HE SAID REVISE MYLAR PER RED LINED
PLAN AND SUBMIT IT TO HIM THRU ZADM.

09/06/94 TALKED TO CHUCJ ABOUT CERTIFICATE OF TITLE.FAXED HIM
ANOTHER COPY.HE WILL MEET W REAL ESTATE ATTORNEY TOMORROW
ON THIS.

09/08/94 TALKED TO BOB CHALK,PLAN IS BEING MICROFILMED.SHOULD BE
DONE SOON.

09/15/94 TALKED TO ZADM \$1K FEE STILL IN EFFECT.

09/19/94 TALKED TO RJT,STILL HUNGUP W SHA ON ST. DRAIN DESIGN.

09/21/94 TALKED TO CHUCK,HE GAVE CERT FORM TO ATTORNEY.HE WILL SEE
WHAT STATUS IS.

12/19/94 TALKED TO RJT ON SWM STATUS.WE SHOULD BE HEARING FROM SCD
IN THE NEXT FEW DAYS.

01/04/95 TALKED TO RJT,HE WILL CALL ED SCHMOUSE TODAY ON STATUS OF
COMMENTS.

01/16/95 TALKED TO BG&E,THEY ASKED ABOUT CONSTRUCTION SCHEDULE, I
TOLD THEM NOTHING WAS SENT YET.THEY DECIDED TO SHOW MAY AS
THE START TIME.I TOLD THEM IT WOULD NOT BE BEFORE
THAT.WHEN WE ARE READY WE SHOULD CONTACT ED SCHAMBERGER
291-3117.

02/09/95 TALKED TO CHUCK.HE IS CONCERNED ABOUT PRESERVING THE
SPECIAL EXECPTION.TOLD HIM I WOULD CALL TONY.CHUCK WILL
CALL MEM BACK ON CERT. OF TITLE.
AMOCO DOES NOT WANT TO GO TO CONSTRUCTION BEFORE SPECIAL
EXCEPTION EXPIRES.NEED TO DETERMINE WHAT WILL PROTECT
SPECIAL EXCEPTION.

02/20/95 TALKED TO TONY,HE WILL INVESTIGATE SPEC. HEARING TO EXTEND
SPECIAL EXCEPTION.WE TALKED ABOUT DOING WORK TO
GRANDFATHER SP. EXCEPTION ZONING.THINKS OUR DEADLINE ID
MID APRIL.TONY WILL GET BACK TO ME.

03/06/95 TALKED TO CHUCK,SOMEONE IS SUPPOSE TO BE WORKING ON
CERT.CHUCK WILL CHECK ON IT.

03/28/95 TALKED TO TONY, HE FILES FOR EXTENSION 4/5/95.

04/04/95 TALKED TO STEVE LOWEY, HE NEEDS ANOTHER WEEK TO CLEAN UP
SOME LOOSE ENDS ON THE TITLE CERT. I TOLD HIM I WOULD
CALL HIM EARLY NEXT WEEK ON STATUS. TOLD HIM I WOULD
UPDATE CHUCK.

04/11/95 TALKED TO STEVE LOWEY, THERE ARE SOME OLD JUDGEMENTS
AGAINST PROPERTY THAT MAY OR MAY NOT BE STILL IN EFFECT.
IT MAY BE VERY DIFFICULT TO FIND OUT. DOES IT MATTER TO
THE COUNTY? IT ASKED HIM TO CALL CHUCK AND FILL HIM IN
AND THEN CHUCK & I WILL TALK.

04/17/95 TALKED TO CHUCK, HE HAS CERT. HE WILL BRING ME A COPY
TOMORROW!

RICHARD J. TRUELOVE P.E., INC.

CIVIL ENGINEER

28 EAST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21286

(410) 494-4914
FAX (410)-823-3827

May 8, 1995

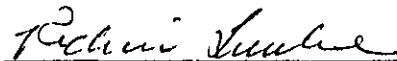
Amoco Oil Company
c/o Charles T. Bogdanowicz
14520 Green Road
Baldwin, Maryland 21013

re: Amoco Station, Philadelphia Rd @ Middle River Rd

Dear Mr. Bogdanowicz:

The following is a summary of the involvement of this firm for the referenced project. We have approximately 50 pages of transmittals in our files from which this chronology was developed should copies be needed for back-up data. We appreciate the working for the Amoco Oil Company, and hope this project continues. Should you need additional information, or copies of any of the back-up data please do not hesitate to call.

Sincerely,



Richard J. Truelove P.E., President

PETITIONER'S
EXHIBIT NO. 8

| | |
|-------------------|---|
| October 19, 1990 | initial SWM waiver request |
| February 12, 1991 | County grants SWM variance if State approves |
| March 1, 1991 | submit first SWM hydrology to MSHA |
| July 31, 1991 | MSHA accepts hydrology analysis, and allows additional run-off |
| August 12, 1991 | SWM variance granted by Baltimore County |
| July 31, 1992 | MSHA letter listing conditions for State access permit, part of comments from CRG review |
| February 4, 1994 | initial road plan and cross section submittal to Baltimore County |
| April 4, 1994 | initial submittal of storm drain plan to MSHA |
| April 24, 1994 | second road plan submittal to Baltimore County-special consideration requested since it was difficult to meet existing paving with standard County road section |
| May 5, 1994 | Submittal of road plans, site plans, and Variance letter to MSHA as part of their review request |
| May 24, 1994 | telephone comments from MSHA hydraulics division. The existing system is undersized and must be improved at Amoco's expense. |
| June 22, 1994 | additional submittal to MSHA |
| July 21, 1994 | county requests second submittal of cross sections previously submitted May 5th. |
| July 27, 1994 | water quality inlet submittal |
| August 17, 1994 | MSHA comments on storm drain replacement plans. Water Quality plan must be revised to comply with MSHA comments. State will not comment further until they receive water quality plans. |
| November 22, 1994 | additional MSHA comments on storm drain. Plans submitted, and approval given over the telephone. |

| | |
|-------------------|---|
| December 5, 1994 | third submittal of road and storm drain plans to Baltimore County with State approval attached. Second submittal of Water Quality design to DEPRM |
| January 6, 1995 | county comments on road and drain plans received. Awaiting execution of PWA by Amoco for re-submittal. |
| January 11, 1995 | MSHA approves drains by letter, lists requirements for access/utility connection permit |
| February 22, 1995 | originals of water quality inlet submitted to Baltimore County for signature. |

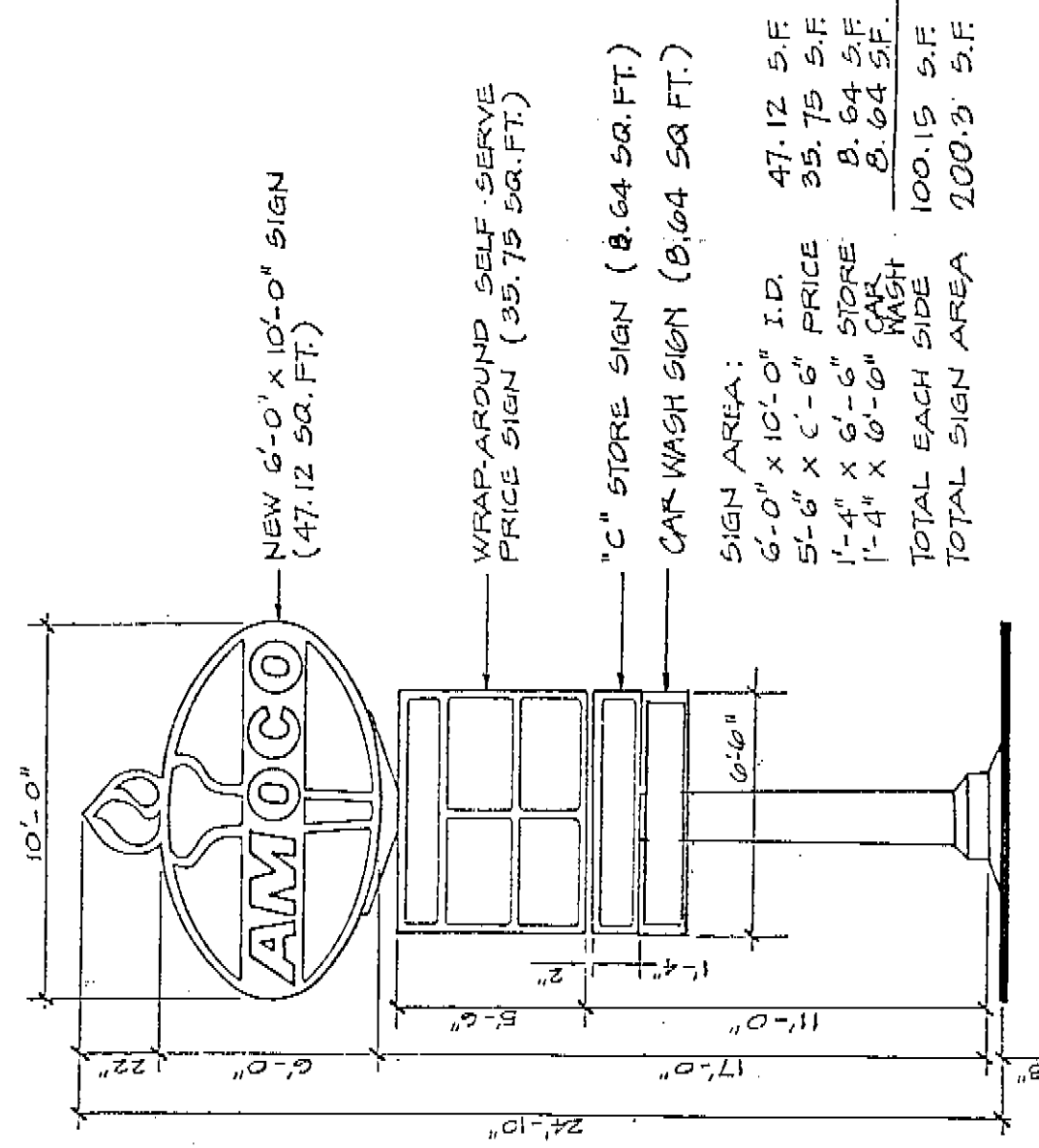
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DETAIL 6'x10' IDENTIFICATION SIGN
NOT TO SCALE

NOT TO SCALE



SIGN DETAIL

AMOCO OIL COMPANY
9519 PHILADELPHIA ROAD



**HOFF &
ANTONUCCI**
ASSOCIATES

Land Development
Consultants
and Landscape
Architects

P.O. Box 27402
Towson, MD 21285-7402
301-628-4225

REVISIONS:

SCALE: N.T.S.

DATE: 6/14/91

JOB NO.: 125/01

DESIGNED:

DRAWN:

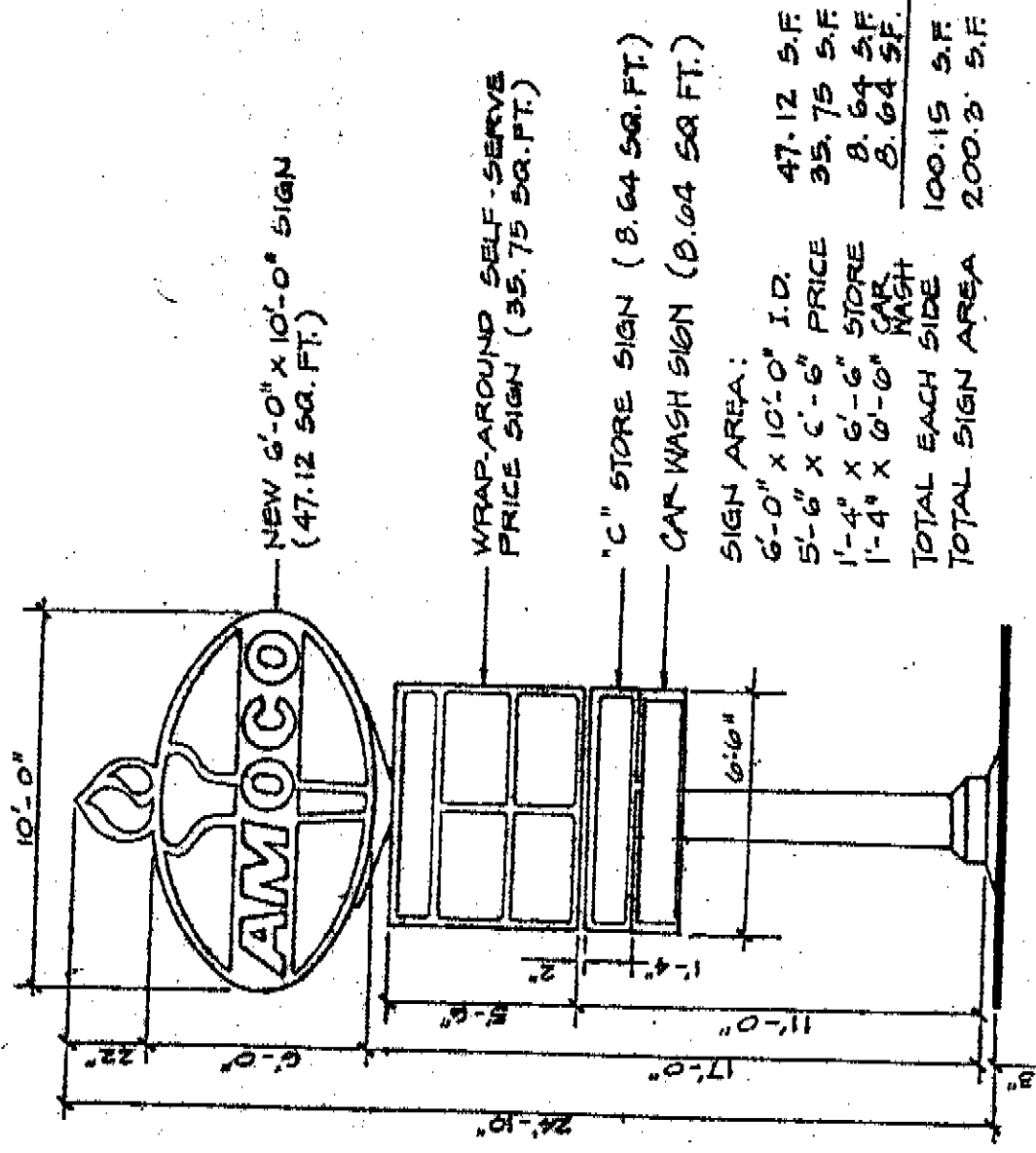
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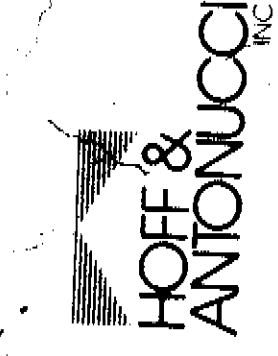
SHEET 2 OF 2

DETAIL 6'x10' IDENTIFICATION SIGN
NOT TO SCALE



SIGN DETAIL

AMOCO OIL COMPANY
9519 PHILADELPHIA ROAD



Land Development
Consultants
and Landscape
Architects

P.O. Box 27402
Towson, MD 21285-7402
301-640-1129

REVISIONS:

SCALE: N.T.S.

DATE: 6/14/91

JOB NO.: 125/01

DESIGNED:

DRAWN:

CHECKED:

DRAWING NUMBER:

ZON-2

SHEET 2 OF 2

IN RE: PETITION FOR SPECIAL HEARING
SE/S Philadelphia Road at
Middle River Road
(9519 Philadelphia Road)
15th Election District
5th Councilmanic District
Stanley Lloyd
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-353-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 9519 Philadelphia Road, located in the vicinity of Rosedale. The Petition was filed by the owner of the property, Stanley Lloyd, and the Contract Purchaser/Lessee, Amoco Oil Company, by Charles T. Bogdanowicz, Project Manager, through their attorney, Anthony J. DiPaula, Esquire. The Petitioners seek approval of an extension of the time in which they must utilize the special exception granted in prior Case No. 91-498-XA, pursuant to Section 502.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a proposed automotive service station and convenience store with car wash. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Charles T. Bogdanowicz, Project Manager for the Amoco Oil Company, Anthony J. DiPaula, Esquire, attorney for the Petitioners and Thomas J. Hoff, Professional Engineer. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.05 acres, more or less, split zoned B.L.-C.N.S. and B.L., and was previously the site of the Old Philadelphia Inn. The property is improved with a 2.5 story building, which has been vacant

for some time. The Petitioners propose to remove the existing building and develop the site with an automotive service station and convenience store with a car wash. As noted above, this matter was the subject of prior Case No. 91-498-XA in which a special exception and variances for the use proposed were granted, on appeal, by the County Board of Appeals on May 7, 1992. However, additional appeals ensued and by Order issued April 12, 1993, Judge Alfred L. Brennan, Circuit Court Judge for Baltimore County granted the special exception request and remanded the variances back to the Board of Appeals. The Board ultimately granted the variance relief sought by Order issued July 22, 1993, and supplemental Opinion dated August 20, 1993. No further appeals were taken and therefore, the Petitioner had two years from the date of Judge Brennan's decision on April 12, 1993 in which to utilize the special exception. The proffered testimony offered at the hearing before me demonstrated that the Petitioners have been working diligently to obtain permits to begin utilization of the special exception. Entered into evidence as Petitioner's Exhibit 7 was a diary prepared by Thomas Hoff, the engineer on this project, which demonstrates the efforts he has undertaken, both with the Maryland State Highway Administration and Baltimore County to move forward with this project. Because of the complexities that these Petitioners have encountered in the development process, construction has been delayed. The Petitioners now come before me seeking an extension of time in which to utilize the special exception granted in 1993 for a period of one year from the date of this Order during which time the Petitioners expect to resolve any remaining matters and begin construction.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would re-

sult if the relief requested in the special hearing were not granted. I find from the testimony and evidence offered that the Petitioners have, in fact, diligently pursued development of this site and utilization of the special exception. They were somewhat delayed in the approval process, through no fault of their own, by the various State and local governmental agencies. In the opinion of this Deputy Zoning Commissioner, the relief requested meets the spirit and intent of the zoning regulations and will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

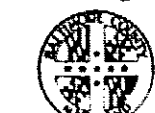
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of May, 1995 that the Petition for Special Hearing seeking approval of an extension of time in which to utilize the special exception granted in prior Case No. 91-498-XA, pursuant to Section 502.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a proposed automotive service station and convenience store with a car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitioners shall have one (1) year from the date of this Order in which to utilize the special exception.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

May 22, 1995

(410) 887-4386

Anthony J. DiPaula, Esquire
Covahey & Booser
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/S Philadelphia Road at Middle River Road
(9519 Philadelphia Road)
15th Election District - 5th Councilmanic District
Stanley Lloyd - Petitioner
Case No. 95-353-SPH

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Stanley Lloyd
200 S. Main Street, Bel Air, Md. 21014

Mr. Charles T. Bogdanowicz
14520 Green Road, Baldwin, Md. 21013

Mr. Thomas Hoff
Hoff & Antonucci, P.O. Box 27402, Towson, Md. 21285-7402

People's Counsel: File

Printed with Soybean Ink
on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 95-353-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an extension of the time within which the special exception granted in Case No. 91-498-XA is to be utilized, pursuant to BCZR Section 502.3

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: *Amoco Oil Company*
Signature: *Charles T. Bogdanowicz*
Address: 14520 Green Road
City and State: Baltimore, MD 21013

Legal Owner(s):
Stanley Lloyd
Signature: *Stanley Lloyd*
(Type or Print Name)
Signature

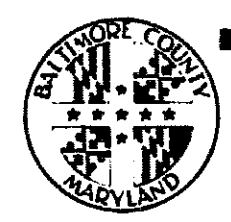
Attorney for Petitioner:
F. Vernon Booser/Anthony J. DiPaula
(Type or Print Name)
Signature: *Anthony J. DiPaula*
Address: 614 Bosley Avenue
City and State: Towson, MD 21204

200 S. Main Street
Address
Bel Air, MD 21014
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Charles T. Bogdanowicz
Name
14520 Green Road - 21013 592-5914
Address Phone No.

Attorney's Telephone No.: 828-9441



OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR.
AVAILABLE FOR HEARING
ALL NON-TUES./WED. - NEXT TWO MONTHS
REVIEWED BY: *200X* DATE: *4/5/95*

HOFF & ANTONUCCI
ASSOCIATES
Land Development Consultants
and Landscape Architects

June 14, 1991

Description of BL-CNS Portion of AMOCO SERVICE STATION, 9519 PHILADELPHIA RD., to Accompany Petition for Zoning Variances and Special Exceptions

BEGINNING FOR THE SAME at a point on the south side of Philadelphia Road (Maryland State Route 7, 80' R/W) at the southwest corner of the intersection of Philadelphia Road and Middle River Road, said point having the coordinate values of N 21.141.65, E 43.859.84.

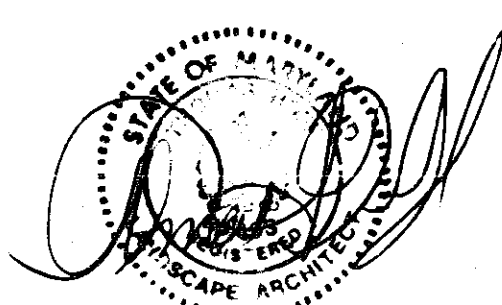
Thence binding on the south side of said Philadelphia Road,
(1) South 48 degrees 38 minutes 00 seconds West 143.37 feet;

thence leaving the south side of Philadelphia Road and binding on the BL/BL-CNS zoning line,
(2) South 41 degrees 27 minutes 19 seconds East 193.29 feet;

thence leaving the BL/BL-CNS zoning line and binding on the southeast property line,
(3) North 47 degrees 29 minutes 25 seconds East 172.25 feet;

to the west side of Middle River Road, thence binding on the west side of Middle River Road,
(4) North 42 degrees 36 minutes 58 seconds West 164.90 feet;
(5) North 86 degrees 59 minutes 29 seconds West 35.74 feet;
to the point of beginning containing 0.74 acres of land more or less.

Note:
This Description has been prepared for zoning purposes only.



1717 York Road • Suite 18 • Lutherville, MD 21093 • 410-628-2225 • Fax 410-628-2229

HOFF & ANTONUCCI
ASSOCIATES
Land Development Consultants
and Landscape Architects

June 14, 1991

Description of Parcel "A" the BL Portion of AMOCO SERVICE STATION, 9519 PHILADELPHIA RD., to Accompany Petition for Zoning Variances and Special Exceptions

BEGINNING FOR THE SAME at a point on the south side of Philadelphia Road (Maryland State Route 7, 80' R/W) 164.31 feet from the southwest corner of the intersection of Philadelphia Road and Middle River Road, said point having the coordinate values of N 21.033.07, E 43.736.53.

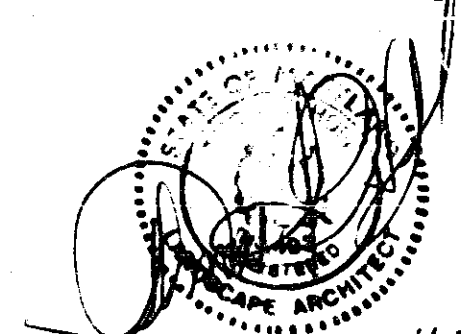
Thence leaving the south side of said Philadelphia Road and binding on the southwest property line,
(1) South 40 degrees 45 minutes 50 seconds East 193.76 feet;

thence binding on the southeast property line,
(2) North 47 degrees 29 minutes 25 seconds East 23.05 feet;

thence leaving the southeast property line and binding on the BL/BL-CNS zoning line,
(3) North 41 degrees 27 minutes 19 seconds East 193.29 feet;

to the south side of Philadelphia Road, thence binding on the south side of Philadelphia Road,
(4) South 48 degrees 38 minutes 00 seconds West 20.94 feet;
to the point of beginning containing 0.10 acres of land more or less.

Note:
This Description has been prepared for zoning purposes only.



1717 York Road • Suite 18 • Lutherville, MD 21093 • 410-628-2225 • Fax 410-628-2229

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: *95-353-SPH* Date of Posting: *4/22/95*
Posted for: *Special Hearing*
Petitioner: *Stanley Lloyd & Amoco Oil Co.*
Location of property: *9519 Phila. Rd. Cor. Midd. R. Rd.*
Location of Sign: *Along road & property line, 200 ft. x 200 ft.*
Remarks:
Posted by: *Timothy M. Kotroco* Date of return: *4/22/95*
Number of Signs: *1*

CERTIFICATE OF PUBLICATION

TOWSON, MD., *April 21, 1995*

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on *April 20, 1995*

THE JEFFERSONIAN,

A. Henrichsen
LEGAL AD., TOWSON

NOTICE TO THE PUBLIC
The following information is being provided to the public for their information and is not to be used for any other purpose.
If you have any questions or need more information, please contact the Planning and Zoning Department at 410-628-2225.
The information is being provided to the public for their information and is not to be used for any other purpose.
If you have any questions or need more information, please contact the Planning and Zoning Department at 410-628-2225.
The information is being provided to the public for their information and is not to be used for any other purpose.
If you have any questions or need more information, please contact the Planning and Zoning Department at 410-628-2225.

Baltimore County Government
Office of Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

receipt
95-353-SPH

Account: R 001-6150
Number: 344
Date: 4/5/95
F. Vernon Booser, Esq.
614 Bosley Avenue
Towson, MD 21204
828-9441

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:
Item No.: 344
Petitioner: Amoco Oil Company
Location: 9519 Philadelphia Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: F. Vernon Booser / Anthony J. DiPaola
ADDRESS: 614 Bosley Avenue
Towson, MD 21204
PHONE NUMBER: 828-9441

AJ:ggs (Revised 04/09/93)

TO: PETITIONER PUBLISHING COMPANY
April 20, 1995 Issue - Jeffersonian

Please forward billing to:
F. Vernon Booser, Esq.
614 Bosley Avenue
Towson, MD 21204
828-9441

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-353-SPH (Item 344)
9519 Philadelphia Road
corner S/S Middle River Road, SE/S Philadelphia Road
15th Election District - 5th Councilmanic
Legal Owner: Stanley Lloyd
Contract Purchaser: Amoco Oil Company
HEARING: TUESDAY, MAY 2, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve an extension of the time within which the special exception granted in case 951-498-XA is to be utilized.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

April 17, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-353-SPH (Item 344)
9519 Philadelphia Road
corner S/S Middle River Road, SE/S Philadelphia Road
15th Election District - 5th Councilmanic
Legal Owner: Stanley Lloyd
Contract Purchaser: Amoco Oil Company
HEARING: TUESDAY, MAY 2, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve an extension of the time within which the special exception granted in case 951-498-XA is to be utilized.

Arnold Jablon
Director

cc: Charles T. Rychonowicz
Stanley Lloyd
F. Vernon Booser/Anthony J. DiPaola

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE BY 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

May 5, 1995

F. Vernon Booser, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 344
Case No.: 95-353-SPH
Petitioner: Stanley Lloyd/Amoco

Dear Mr. Booser:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 5, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor

WCB/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 25, 1995

SUBJECT: 9519 Philadelphia Road

INFORMATION:

Item Number: 344
Petitioner: Stanley Lloyd / Amoco Oil Company
Property Size: _____
Zoning: BL-AS
Requested Action: Special Hearing
Hearing Date: 5/2/95

SUMMARY OF RECOMMENDATIONS:

The applicant requests a special hearing to approve an extension of the time within which the special exception granted in Case No. 91-498XA is to be utilized, pursuant to Section 502.3 of the Baltimore County Zoning Regulations.

Based upon a review of the case history, staff believes the special exception will have expired by the time of the hearing on the subject special hearing.

However, should the zoning commissioner decide that the special exception remains in force, it is recommended that the extension be denied for the reasons as follows:

- 1) As outlined in our comments relative to the Petition in Case No. 91-498XA, use of the property as an automotive service station would be inappropriate (see attached comment dated August 6, 1991).
- 2) Since the ultimate granting of the special exception, the County Council approved the Philadelphia Road Corridor Study recommending that automotive service stations be prevented from locating near residential areas. Therefore, it appears to this office that there are issues to be considered beyond the simple examination of the appropriateness of extending the special exception.

ITEM344/PZONE/ZAC1

Based upon a review of the information provided and use related issues pertaining to the obvious inconsistency with a County Council adopted plan, the Office of Planning recommends that the applicant's request be denied.

Prepared by: Jeffrey W. Long
Division Chief: _____
PK/JL

ITEM344/PZONE/ZAC1

Joyce Watson
ZAC Comments
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

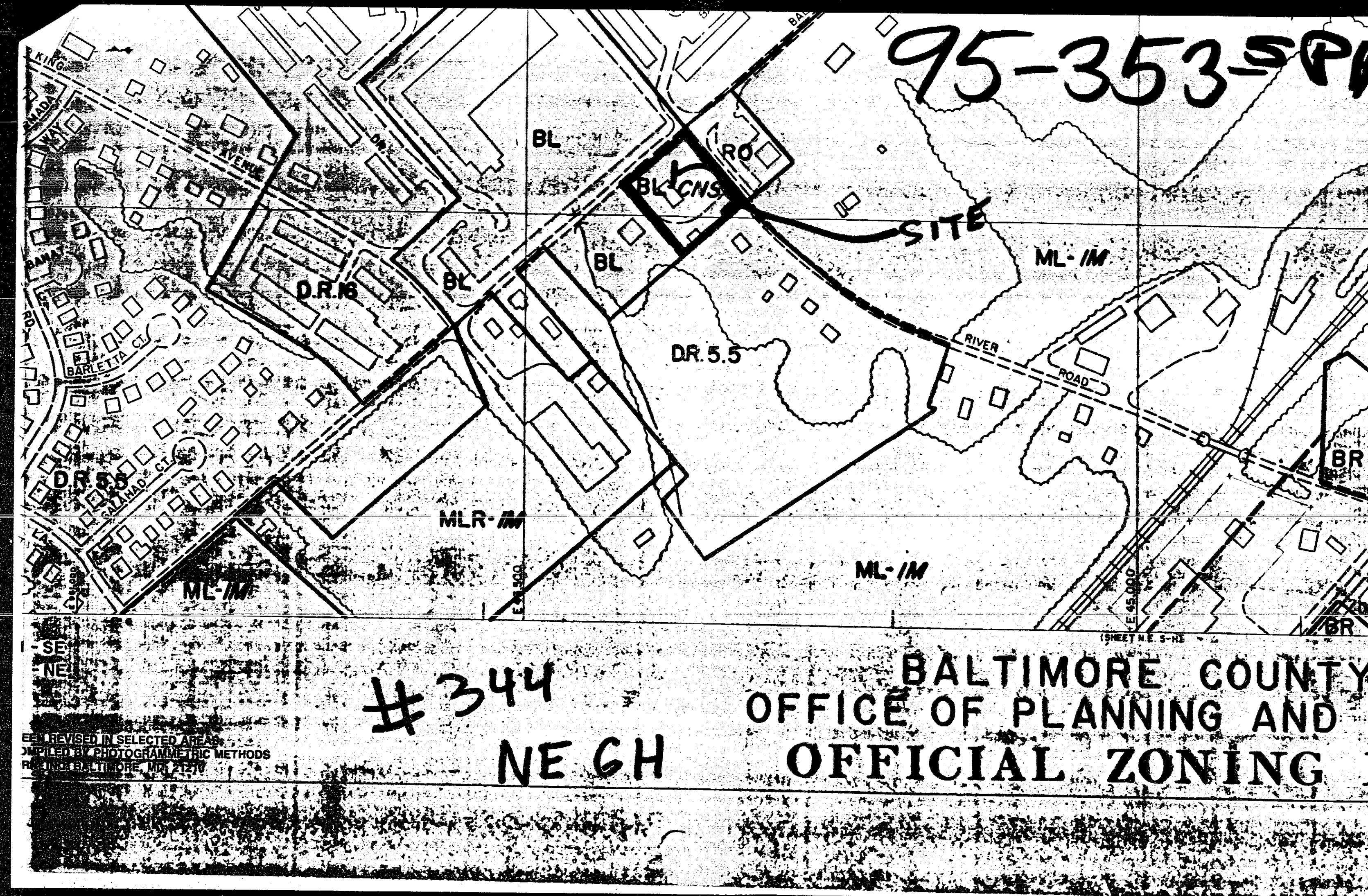
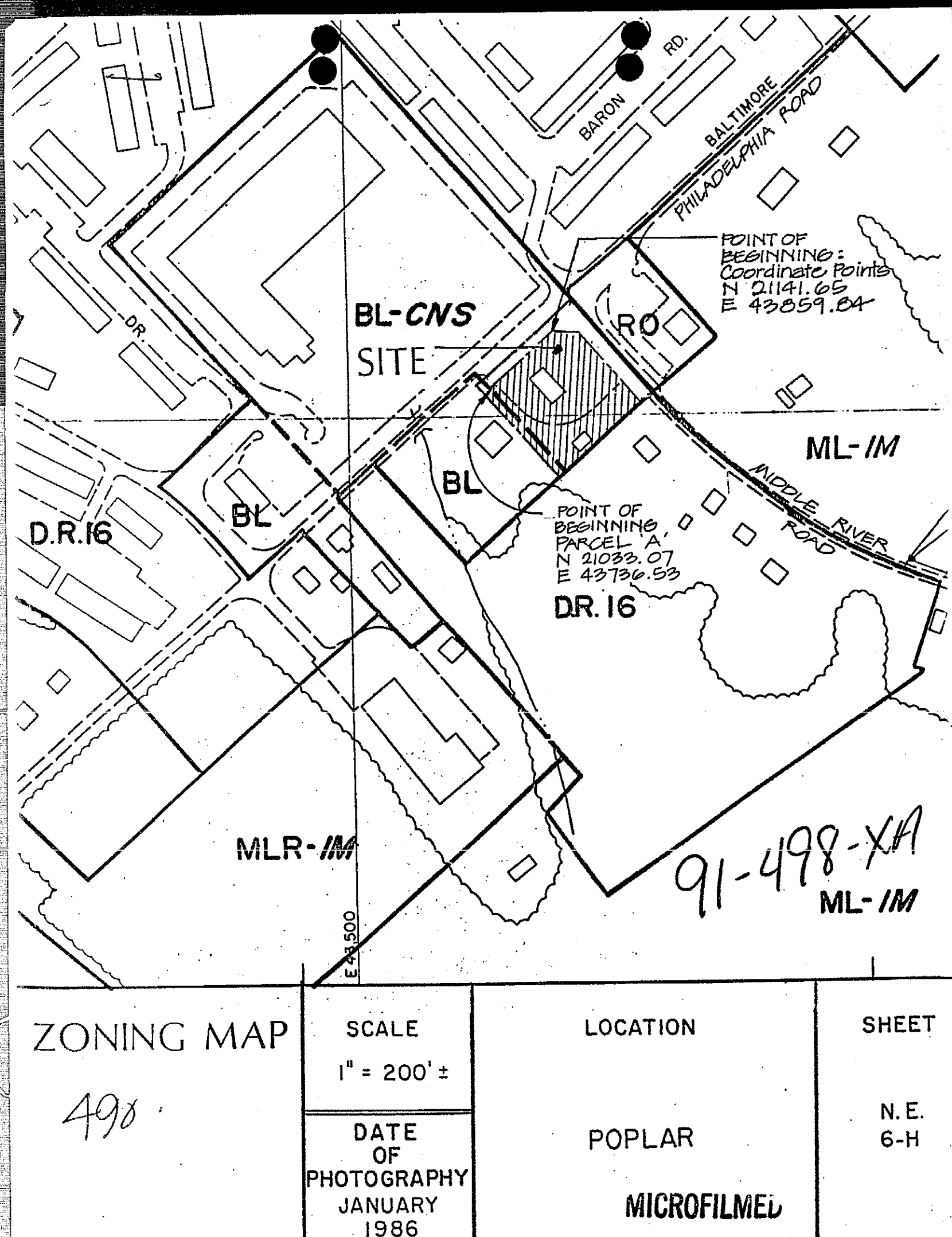
TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4/27/95

DATE: 4/28/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341
344
345
348
349
350
351

LS:sp
LETTY2/DEPRM/TXTSBP



County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
May 7, 1992

Anthony J. DiPaula, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Case No. 91-498-XA
Amoco Oil Company

Dear Mr. DiPaula:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Charles T. Bogdanowicz / Amoco Oil Company
Mr. Stanley Lloyd
Mr. Thomas J. Hoff
Mr. Nicholas Commodari
Mr. L. Rodney Compton
Ms. Gloria J. Turner
Mr. & Mrs. Lawrence Clow
Ms. Jan Walter
Mr. Hunter E. Bush
Ms. Marie Simoes
Mr. Ed Kormanis
Mr. Chad Kormanis
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Admin.

CIRCUIT COURT FOR BALTIMORE COUNTY
CIVIL CATEGORY

IN THE MATTER OF THE APPLICATION OF AMOCO OIL COMPANY FOR A VARIANCE ON PROPERTY LOCATED ON THE SE/4 COR PHILADELPHIA ROAD AND MIDDLE RIVER ROAD (9519 PHILADELPHIA ROAD) 15th ELECTION DISTRICT 5th COUNCELMANIC DISTRICT

LAWRENCE W. CLOW
IN THE MATTER OF PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
Appellants

AMOCO OIL COMPANY
IN RE: CASE NO. 91-498-XA

ATTORNEYS

Michael P. Tanczyn
Suite 100 - 606 Baltimore Ave.
(04) (410)296-8823

Michael P. Tanczyn- Cole
606 Baltimore Ave., Ste. 106
21204 296-8823

Phyllis Gole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Ave.
(04) (410)887-2188

F. Vernon Boozer
Anthony J. DiPaula
614 Bosley Ave. (04) (301)828-9441

FILED - Mailed - 10/15/92 GEN COSTS 925341
CV PLA 80.00
B LBY 10.00
POST 2.00
CKCHECK TL 92.00
#19350 C002 R01 T1413 06/05/93

(1) June 5, 1992 - Appellant's Order for appeal from the Decision of Board of Appeals of Baltimore County date May 7, 1992, fd.

(2) June 18, 1992 - Certificate of Notice, from Balto. County Board of Appeals fd. rec'd 6/8/92

(3) June 10, 1992 - Petition to Accompany Order for Appeal fd.

(4) June 16, 1992 - App. of Phyllis Gole Friedman for the People's Counsel for Baltimore County and same day Notice of Appeal from the Decision of the County Board of Appeals dated May 7, 1992 and Petition on Appeal, fd.

(5) June 18, 1992 - App. of F. Vernon Boozer and Anthony J. DiPaula for the Appellee AMOCO OIL COMPANY and same day Answer to Petition for Appeal, fd.

(6) June 18, 1992 - Certificate of Notice, fd.

(7) July 2, 1992 - Transcript of Record, fd. (G1)

(8) July 2, 1992 - Notice of Filing of Record, fd.

IN BASEMENT
Location: Box 46

PETITIONER'S
EXHIBIT NO. 3

Docket 24 Page 252 Case 92 CV- 5341

Lawrence W. Clow
People's Counsel
Appellants
V.
Amoco Oil Company
Appellee
* * * * *

In the
Circuit Court
for
Baltimore County
Case No. 92 CV 5341

OPINION AND ORDER

This case is before this Court on appeals by both Lawrence W. Clow and the People's Counsel of the decision of the County Board of Appeals, which reversed the decision of the Zoning Commissioner.

Petitioner Amoco Oil, petitioned for special exceptions for an automotive service station, which included a convenience store and self service car wash, in a commercial zone located at the southeast corner of Philadelphia and Middle River Roads in Baltimore County, Maryland. Petitioner also sought two (2) variances: one for additional footage for its sign, and one for relief from the requirement of a ten (10) foot wide planting strip on the rear of the property line abutting a residential zone. The Zoning Commissioner denied the requested special exceptions, which rendered the variance requests moot.

Amoco Oil appealed this decision to the County Board of Appeals, which heard the case de novo. After hearing all the testimony, the Board rendered its opinion and order, which reversed the decision of the Zoning Commissioner, in that it:

PETITIONER'S
EXHIBIT NO. 4

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
June 22, 1993

Anthony J. DiPaula, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Case No. 91-498-XA
Circuit Court Case No. 92-CV-5341
Amoco Oil Company

Dear Mr. DiPaula:

Enclosed please find a copy of the Supplemental Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter, pursuant to the Remand Order of the Circuit Court.

Sincerely,
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Charles T. Bogdanowicz
Michael P. Tanczyn, Esquire
Lawrence W. Clow
Stanley Lloyd
Thomas J. Hoff
Nicholas Commodari
L. Rodney Compton
Gloria J. Turner
Jan Walter
Hunter E. Bush
Marie Simoes
Ed Kormanis
Chad Kormanis
P. David Fields
People's Counsel for Baltimore County

Honorable Alfred L. Brennan, Sr.
Copy /Circuit Ct File 92-CV-5341
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

PETITIONER'S
EXHIBIT NO. 5

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
August 19, 1993

Anthony J. DiPaula, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Case No. 91-498-XA
Circuit Court Case No. 92-CV-5341
Amoco Oil Company /Clarification

Dear Mr. DiPaula:

Enclosed please find a copy of the Clarification of Supplemental Opinion and Order, as requested by letter dated July 30, 1993, issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,
Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

encl.

cc: Charles T. Bogdanowicz
Michael P. Tanczyn, Esquire
Lawrence W. Clow
Stanley Lloyd
Thomas J. Hoff
Nicholas Commodari
L. Rodney Compton
Gloria J. Turner
Jan Walter
Hunter E. Bush
Marie Simoes
Ed Kormanis
Chad Kormanis
P. David Fields
People's Counsel for Baltimore County

Honorable Alfred L. Brennan, Sr.
Copy /Circuit Ct File 92-CV-5341
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

PETITIONER'S
EXHIBIT NO. 6

PROJECT STATUS REPORT
PREPARED BY: THOMAS J. HOFF

PETITIONER'S EXHIBIT NO. 7

DATE: 03/10/95

0125-01 AMOCO-9519 PHILADELPHIA R SITE DEVELOPMENT PLANS

10/27/90 Need to send preliminary plan to SHA for comment on entrance locations. We should file CRG Waiver Request this week.

10/31/90 IAJ filed for CRG Waiver. Planning Board will not meet until Jan on this.

11/02/90 Sent preliminary plan to SHA. Larry Brocato for review.

11/09/90 Saw Larry Brocato at County and he said he had sent me a letter on the entrances onto Philadelphia Rd.

11/13/90 Received letter from Brocato requesting one entrance on Philadelphia Rd.

11/15/90 Met w/Chuck on redesign of canopy and going to single entrance on Philadelphia Rd. Judy did the design changes and Sandy is mailing them out to Chuck as per his request.

12/03/90 Met with Chuck on some revisions. He goes to Florida in Wed. and will be back next Monday.

01/04/91 Received CRG Waiver denial letter today. (CRG Waiver No W-91-01).

01/21/91 Nick has set appointment for filing zoning petition for 02/26/91 @ 11:45 am.

01/30/91 Talked to Chuck. We are go on zoning and CRG plans. Tony DiPaula is the attorney.

02/06/91 Set Pre Dev Con for 2/12 @ 10:30 am and called Pilson and told him about stream within 500'.

02/06/91 Chuck left message that he will not be able to do Pre Dev Con in the next two weeks. He asked if I could handle this myself. I left a message w/him that I would do the Pre Dev Con myself.

02/08/91 Chuck will not be able to meet on design changes until at least next Wednesday.

02/11/91 Talked to Zoning. John Lewis will be handling the filing meeting. asked for him to call me to setup pre file meeting.

02/11/91 Talked to Tony DiPaula. he did not know about filing date. Nick did not call him. I told Tony I would get a plan to him end of this week or early next week. I would be a prefile meeting w/Zoning. I would have Plat & Description done ready for filing.

02/12/91 Had Pre Dev Con. Ran into several problems. including: Master Plan. Historic Bldg & others. Talked to DiPaula to give him status. Talked to McGrain about historic bldg. he indicated that it was not very important historically and court would probably not fight to save it.

02/13/91 Met w/Chuck. we worked out redesign. He told us to move full speed ahead on project.

02/19/91 Talked to Chuck on signage. use same free standing sign as Carroll Plaza w/an additional panel below 'c' store sign. same size for car wash sign. Canopy will have 'AMOCO' on 3 sides. Bldg will have 'FOOD SHOP' on one side. Car wash will have 'CAR WASH' on one side. J. Lewis out sick so no pre file mt today.

02/20/91 Met w/Nick and gave him plan to review. Talked to DiPaula. he needs data from me no later than tomorrow afternoon if we want to make Tuesday filing Date.

02/21/91 Checked on Zoning & Bldg permit histories. nothing in the files.

RICHARD J. TRUELOVE P.E., INC.

CIVIL ENGINEER

28 EAST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21286

(410) 494-4914
FAX (410)-823-3827

May 8, 1995

Amoco Oil Company
c/o Charles T. Bogdanowicz
14520 Green Road
Baldwin, Maryland 21013

re: Amoco Station, Philadelphia Rd @ Middle River Rd.

Dear Mr. Bogdanowicz:

The following is a summary of the involvement of this firm for the referenced project. We have approximately 50 pages of transmittals in our files from which this chronology was developed should copies be needed for back-up data. We appreciate the working for the Amoco Oil Company. and hope this project continues. Should you need additional information, or copies of any of the back-up data please do not hesitate to call.

Sincerely,



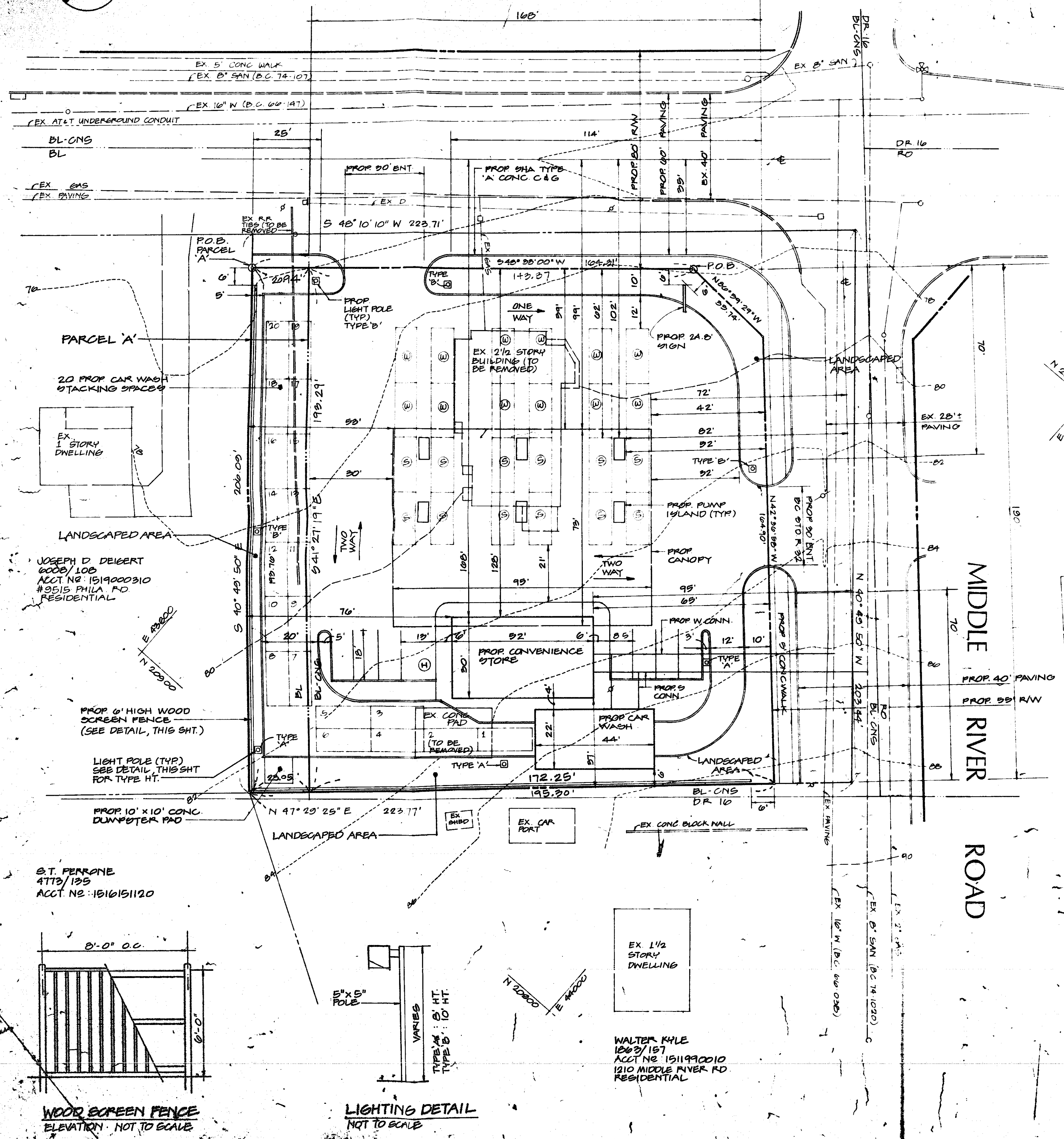
Richard J. Truelove P.E., President

PETITIONER'S EXHIBIT NO. 8

75-353-SPH

KINGS COURT SHOPPING PLAZA
Δ 43/47

PHILADELPHIA ROAD



SITE DATA

SITE ACREAGE:
GROSS: 1.05 AC +/- (45,800 SF)
NET: 0.84 AC +/- (36,571 SF)

EXISTING ZONING:
BL-CNS
BL: 0.74 AC +/- (32,316 SF)
0.10 AC +/- (4,255 SF)

EXISTING USE: VACANT
PROPOSED USE: AUTOMOTIVE SERVICE STATION & CONVENIENCE STORE WITH CAR WASH (MACHINE OPERATED DRIVE THRU). NO OTHER ANCILLARY USES ARE PROPOSED.

SITE AREA REQUIREMENTS:
6 DISPENSER ISLANDS WITH 6 DISPENSERS, CAPABLE OF SERVING 12 CARS AT ONE TIME
12 FUEL SERVICING SPACES @ 1500 SF / SPACE = 18,000 SF
CONVENIENCE STORE @ 1560 SF x 4 = 6,240 SF
CAR WASH @ 960 SF = 960 SF

TOTAL SITE AREA REQUIRED = 25,200 SF
TOTAL SITE AREA PROVIDED = 32,316 SF

SITE WIDTH REQUIREMENTS:
MINIMUM SITE WIDTH REQUIRED ALONG MAJOR STREET = 90'
SITE WIDTH PROVIDED = 168'

ACCESS POINTS:
NUMBER OF ENTRANCES ON MAJOR STREET = 1
NUMBER OF ENTRANCES ON MINOR STREET = 1

PARKING:
REQUIRED:
CONVENIENCE STORE - 1560 SF @ 5/1000 SF = 8 SP
PROPOSED: (INCLUDES 1 HANDICAPPED SP) = 8 SP

SERVICE/STACKING SPACES:

SERVICE STATION:
12 FUEL PUMPS @ 1 SERVICE SP + 1 STACKING SP/ PUMP
TOTAL STACKING SPACES REQUIRED FOR FUEL PUMPS = 24
TOTAL STACKING SPACES PROVIDED FOR FUEL PUMPS = 24

CAR WASH:
NUMBER OF CARS PROCESSED DURING 1/2 HR OF OPERATION = 10
NUMBER OF ADDITIONAL STACKING SPACES REQUIRED = 10
TOTAL STACKING SPACES REQUIRED FOR CAR WASH = 20
TOTAL STACKING SPACES PROVIDED FOR CAR WASH = 20

FLOOR AREA RATIO:
MAXIMUM ALLOWED = 3.00
PROPOSED = 2352 SF / 45,738 SF = 0.05

ADT'S:
CONVENIENCE STORE - 1560 SF (24 HRS @ 800/1000 SF) = 1,384
SERVICE STATION - 12 PUMPS @ 133/PUMP = 1,596
CAR WASH - 20 CARS/HR X 8 = 160
TOTAL ADT'S = 3,140

| SETBACKS: | REQUIRED | PROVIDED |
|-------------------|--------------|----------|
| CANOPY: | 10' FROM R/W | 59 |
| | 35' FROM CL | 42 |
| MAIN STRUCTURE: | 35' FROM R/W | 99 |
| | 60' FROM CL | 72 |
| FUEL PUMP ISLAND: | 15' FROM R/W | 128 |
| | 40' FROM CL | 65 |
| SIGNS: | 6' FROM R/W | 95 |
| | 31' FROM CL | 52 |
| | | 82 |
| | | 6 |
| | | 46 |

LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL. SEE SCHEMATIC LANDSCAPE PLAN, SHEET CRG-2.

LIGHTING:
LIGHT STANDARDS SHALL BE 8' HIGH WITHIN 80' OF RESIDENTIAL ZONE AND 10' HIGH BEYOND 80' OF RESIDENTIAL ZONE.

SIGNAGE:
ONE PRESTANDING ILLUMINATED SIGN 200.3 SF
3 CANOPY SIGNS, ILLUMINATED (BACK LIT)
2 BUILDING SIGNS, ILLUMINATED (BACK LIT)
ALL CANOPY AND BUILDING SIGNS SHALL COMPLY WITH SEC. 413 AND ALL ZONING POLICIES.

ALL STANDARD PARKING SPACES SHALL BE 8.5' x 20'. STACKING SPACES SHALL BE 8.5' x 20'. ALL PARKING, LOADING, MANEUVERING AND AISLE AREAS SHALL BE PAVED WITH A DURABLE AND DUSTLESS SURFACE OF BITUMINOUS CONCRETE AND SPACES ARE TO PERMANENTLY STRIPED.

CAR WASH DATA:
CAR WASH SYSTEM SHALL BE A SLANT SYSTEM - MODEL 560 SERIES, AUTOMATIC ROLL-OVER SYSTEM OR EQUIVALENT.
AVERAGE WASH CYCLE PER VEHICLE 1.5 MIN.
AVERAGE STAGING TIME PER VEHICLE 1.5 MIN.
TOTAL AVERAGE PROCESSING TIME PER VEHICLE 3.0 MIN.

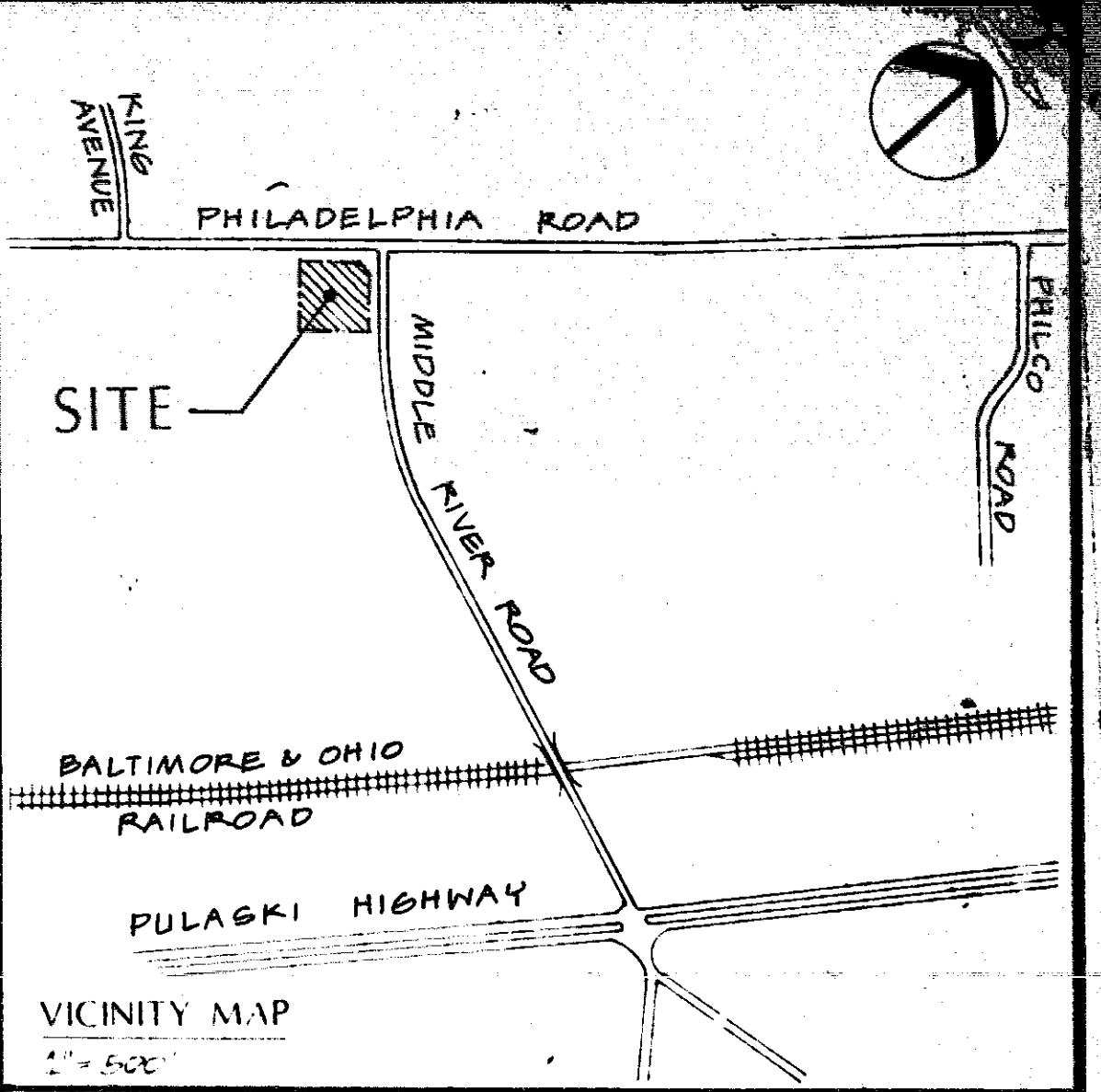
ZONING HISTORY
CASE NO. 69
RECLASSIFICATION FROM A RESIDENTIAL USE AREA TO A COMMERCIAL USE AREA FOR SIX TOURIST CABINS.
ORDER GRANTED MAY 27, 1940.

PLANNING CRG NO: XX-548
PUB. SER. CRG NO: 81-073

LEGEND
① WAITING SPACE
② SERVICE SPACE

OWNER
STANLEY LLOYD
200 S. MAIN ST.
BEL AIR, MD. 21014
DEED REF. 8917/400
ACC NO. 1907982200

DEVELOPER
AMOCO OIL COMPANY
96 CHARLES T. BOGDANOWICZ
M520 GREEN RD
BALDWIN, MD. 21013
(301) 592-5314



- GENERAL NOTES
- THERE ARE NO 25% OR GREATER SLOPES ON SITE.
 - SITE IS PRESENTLY PAVED WITH AN EXISTING 2 1/2 STORY BUILDING. EXISTING 2-1/2 STORY STRUCTURE, FOUNDATION AND CONCRETE PADS ON SITE ARE TO BE REMOVED. THE "OLDE PHILADELPHIA INN", MHT INVENTORY BA 2438, HAS BEEN DETERMINED TO NOT BE A HISTORICALLY SIGNIFICANT SITE.
 - THERE ARE NO EXISTING WELL OR SEPTIC AREAS ON SITE. THIS DEVELOPMENT WILL BE SERVED BY PUBLIC WATER AND SEWER.
 - THERE ARE NO KNOWN UNDERGROUND TANKS, CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON SITE.
 - THERE ARE NO EXISTING STREAMS, BODIES OF WATER OR SPRINGS ON SITE.
 - THERE ARE NO FLOODPLAINS, FLOOD AREAS OR 100 YR. RIVERINE OR TIDAL AREAS ON SITE.
 - LIGHT FIXTURES TO ILLUMINATE PARKING LOT SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM RESIDENTIAL LOTS AND PUBLIC STREETS. LIGHT STANDARDS SHALL BE PROTECTED FROM VEHICULAR TRAFFIC BY CURBING OR LANDSCAPING.
 - SIDEWALKS WILL BE REQUIRED ON ALL PUBLIC ROADS.
 - CAR WASH WILL BE PROVIDED WITH AN OIL/GRIIT SEPARATOR INLET AND WASTE OIL TANK SUBJECT TO REQUIREMENTS OF THE BALTIMORE COUNTY DEPRM.
 - TOPOGRAPHY AND PROPERTY LINE DATA TAKEN FROM SURVEY PREPARED BY VITTI, ROSEL & ASSOCIATES, INC., DATED SEPT. 14, 1990.
 - NO OTHER ACCESSORY USES PROPOSED.
 - THE PREMISES SHALL BE MAINTAINED AT ALL TIMES IN A CLEAN AND ORDERLY CONDITION AND THERE SHALL BE NO STORAGE OF DAMAGED OR INOPERATIVE VEHICLES.
 - HOURS OF OPERATION SHALL BE 24 HOURS/DAY.

- ZONING PUBLIC HEARING REQUEST
- SPECIAL EXCEPTION TO PERMIT AUTOMOTIVE SERVICE STATION (GAS N° 50) IN A BL-CNS ZONE, SECTIONS 230.13 & 405.2.B.2.
 - SPECIAL EXCEPTION TO PERMIT A CAR WASH AS USE IN COMBINATION WITH A SERVICE STATION, SECTION 405.4.D.4.
 - SPECIAL EXCEPTION TO PERMIT A FOOD STORE OF LESS THAN 6000 SF AS USE IN COMBINATION WITH A SERVICE STATION, SECTION 405.4.D.8.
 - SPECIAL EXCEPTION TO USE A SMALL PORTION OF THE SUBJECT PROPERTY (PARCEL "A") ZONED BL AS A CAR WASH (STACKING SPACES ONLY) ACCESSORY TO THE CAR WASH USE IN COMBINATION ON THE SAME SITE.
 - VARIANCE FROM SECTION 405.4.B.2 TO ALLOW AN AUTOMOTIVE SERVICE STATION WITHOUT A 10' WIDE PLANTING STRIP ALONG THE REAR PROPERTY LINE ABUTTING A RESIDENTIAL ZONE AND ADJACENT TO THE PROPOSED AND REQUIRED FENCE SCREENING.
 - VARIANCE FROM SECTIONS 413.2.f. & 405.4.B.4 TO PERMIT ONE (1) BUSINESS SIGN OF 200.3 SF IN LIEU OF THREE (3) SIGNS OF 100 SF AS PERMITTED.

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL EXCEPTIONS AND VARIANCES

AMOCO OIL COMPANY
9519 PHILADELPHIA ROAD

WATERSHE: 6
COUNCILMAN: 110 DISTRICT NO: 5
ELECTION: 1 STRICT NO: 15
BALTIMORE COUNTY, MD.

SUBSEWERSHED: 14
CENSUS TRACT: 4512

HOFF & ANTONUCCI
Land Development Consultants and Landscape Architects

REVISIONS:

SCALE: 1" = 20'

DATE: 9/14/91

JOB NO.: 125/01

DESIGNED: TJH

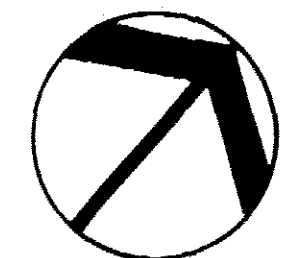
DRAWN: JBJ

CHECKED: TJH

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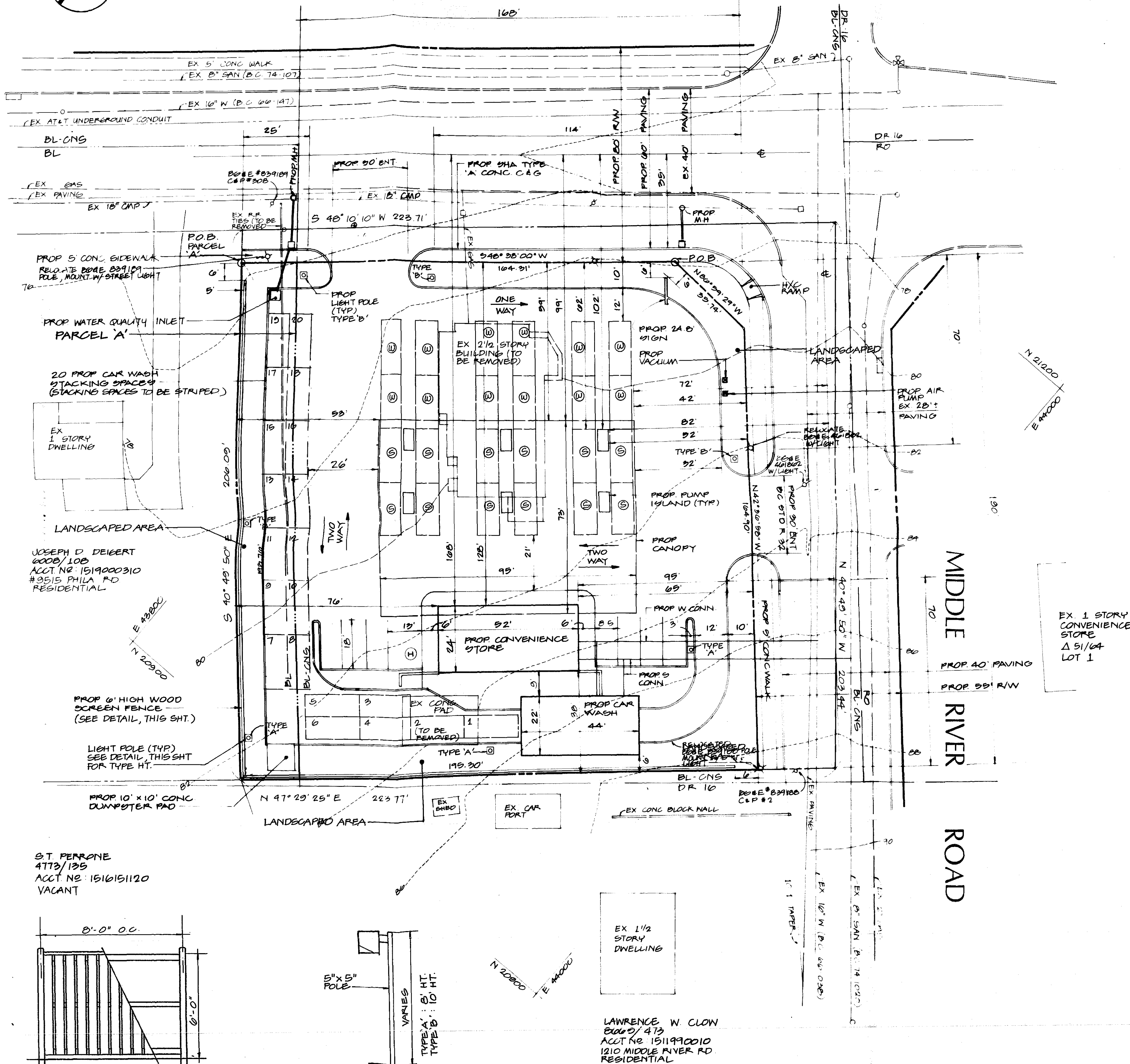
ZON-1

SHEET 1



KINGS COURT SHOPPING PLAZA
Δ 43/47

PHILADELPHIA ROAD



SITE DATA

SITE ACREAGE:
GROSS: 1.5 AC +/- (45,800 SF)
NET: 0.4 AC +/- (36,571 SF)
EXISTING ZONING: BL-CNS
BL: 0.4 AC +/- (32,316 SF)
0.2 AC +/- (4,255 SF)
EXISTING USE: VACANT
PROPOSED USE: AUTOMOTIVE SERVICE STATION & CONVENIENCE STORE
WITH CAR WASH (MACHINE OPERATED DRIVE THRU).
NO OTHER ANCILLARY USES ARE PROPOSED.

SITE AREA REQUIREMENTS:
6 DISPENSER ISLANDS WITH 6 DISPENSERS, CAPABLE OF SERVING 12 CARS AT ONE TIME
12 FUEL SERVICING SPACES @ 1500 SF / SPACE = 18,000 SF
CONVENIENCE STORE @ 1560 SF X 4 = 6,240 SF
CAR WASH @ 960 SF = 960 SF
TOTAL SITE AREA REQUIRED = 25,200 SF
TOTAL SITE AREA PROVIDED = 32,316 SF

SITE WIDTH REQUIREMENTS:
MINIMUM SITE WIDTH REQUIRED ALONG MAJOR STREET = 90'
SITE WIDTH PROVIDED = 168'

ACCESS POINTS:
NUMBER OF ENTRANCES ON MAJOR STREET = 1
NUMBER OF ENTRANCES ON MINOR STREET = 1

PARKING:
REQUIRED: CONVENIENCE STORE - 1560 SF @ 5/1000 SF = 8 SP
PROPOSED: (INCLUDES 1 HANDICAPPED SP) = 8 SP

SERVICE/STACKING SPACES:
SERVICE STATION:
12 FUEL PUMPS @ 1 SERVICE SP + 1 STACKING SP/PUMP
TOTAL STACKING SPACES REQUIRED FOR FUEL PUMPS = 24
TOTAL STACKING SPACES PROVIDED FOR FUEL PUMPS = 24
CAR WASH:
NUMBER OF CARS PROCESSED DURING 1/2 HR OF OPERATION = 10
THERE ARE NO KNOWN UNDERGROUND TANKS. CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON SITE.
TOTAL STACKING SPACES REQUIRED FOR CAR WASH = 20
TOTAL STACKING SPACES PROVIDED FOR CAR WASH = 20

FLOOR AREA RATIO:
MAXIMUM ALLOWED = 3.00
PROPOSED - 2352 SF / 45,738 SF = 0.05

ADT'S:
CONVENIENCE STORE - 1560 SF (24 HRS @ 887/1000 SF) = 1,384
SERVICE STATION - 12 PUMPS @ 133/PUMP = 1,596
CAR WASH - 20 CARS/HR X 8 = 160
TOTAL ADT'S = 3,140

| SETBACKS: | REQUIRED | PHILADELPHIA/MIDDLE RIVER |
|-------------------|--------------|---------------------------|
| CANOPY: | 10' FROM R/W | 59 |
| | 35' FROM CL | 42 |
| MAIN STRUCTURE: | 35' FROM R/W | 99 |
| | 60' FROM CL | 128 |
| FUEL PUMP ISLAND: | 15' FROM R/W | 168 |
| | 40' FROM CL | 62 |
| SIGNS: | 61' FROM R/W | 102 |
| | 31' FROM CL | 82 |

LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL. SEE SCHEMATIC LANDSCAPE PLAN, SHEET CRG-2.

LIGHTING:
LIGHT STANDARDS SHALL BE 8' HIGH WITHIN 80' OF RESIDENTIAL ZONE AND 10' HIGH BEYOND 80' OF RESIDENTIAL ZONE.

SIGNAGE:
ONE FREESTANDING ILLUMINATED SIGN 200.3 SF
3 CANOPY SIGNS, ILLUMINATED (BACK LIT)
2 BUILDING SIGNS, ILLUMINATED (BACK LIT)
ALL CANOPY AND BUILDING SIGNS SHALL COMPLY WITH SEC. 413 AND ALL ZONING POLICIES.

ALL STANDARD PARKING SPACES SHALL BE 8.5'x18'. STACKING SPACES SHALL BE 8.5'x20'. ALL PARKING, LOADING, MANEUVERING AND AISLE AREAS SHALL BE PAVED WITH A DURABLE AND DUSTLESS SURFACE OF BITUMINOUS CONCRETE AND SPACES ARE TO PERMANENTLY STRIPED.

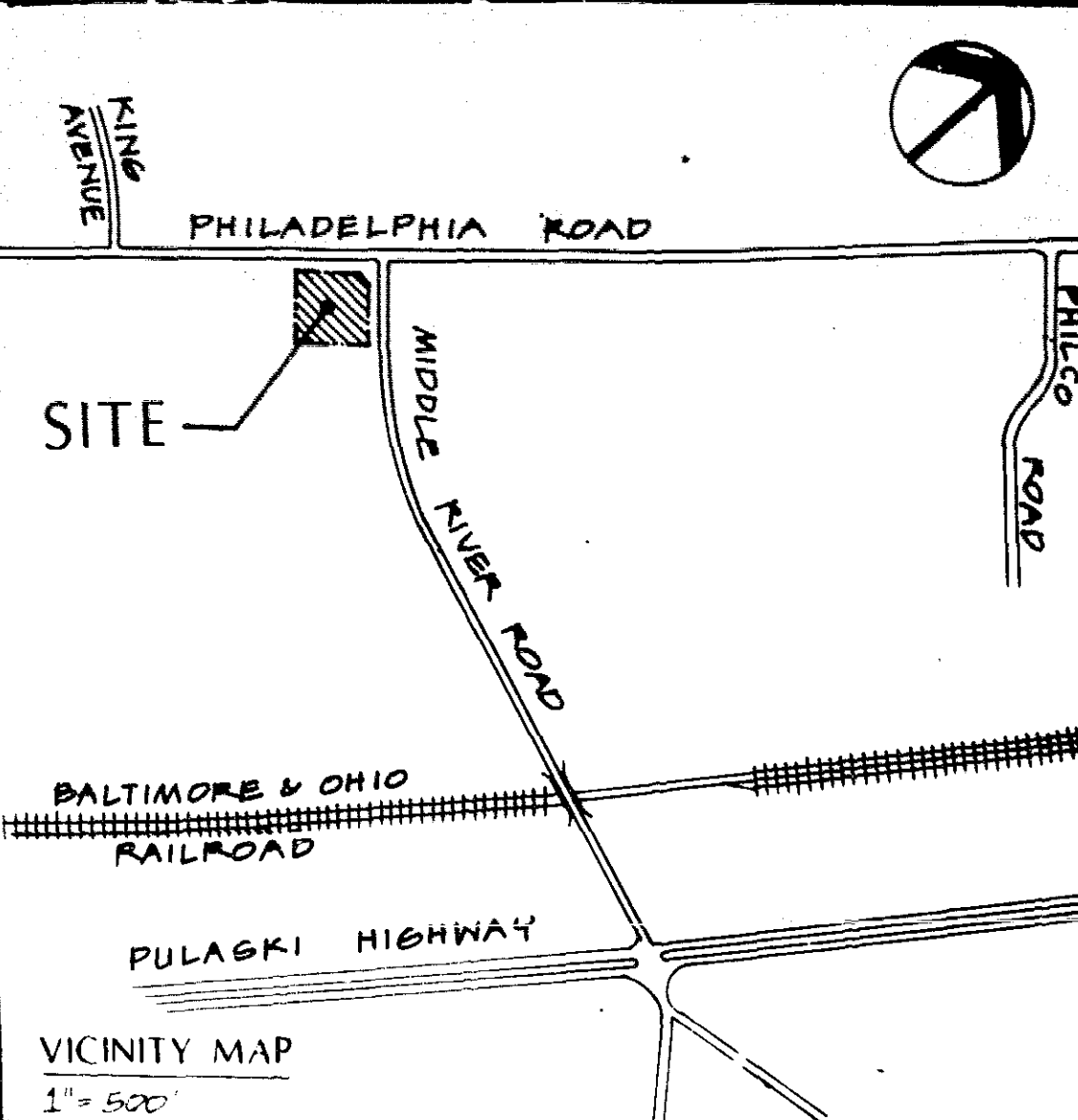
CAR WASH DATA:
CAR WASH SYSTEM SHALL BE A SLANT SYSTEMS - MODEL 560 SERIES, AUTOMATIC ROLLER SYSTEM OR EQUIVALENT.
AVERAGE WASH CYCLE PER VEHICLE 1.5 MIN.
AVERAGE STAGING TIME PER VEHICLE 1.5 MIN.
TOTAL AVERAGE PROCESSING TIME PER VEHICLE 3.0 MIN.

ZONING HISTORY
CASE NO. 69
RECLASSIFICATION FROM A RESIDENTIAL USE AREA TO A COMMERCIAL USE AREA FOR SIX TOURIST CABINS.
ORDER GRANTED MAY 27, 1940.

PLANNING CRG NO: XX-548
PUB. SER. CRG NO: 31-073

OWNER
STANLEY LLOYD
200 S. MAIN ST.
BEL AIR, MD 21014
DEED REF. 2817/490
ACCT NO. 1907982390

DEVELOPER
AMOCO OIL COMPANY
96 CHARLES T. BOGDANOWICZ
14520 GREEN RD
BALDWIN, MD 21013
(301) 592-5314



GENERAL NOTES

- THERE ARE NO 25% OR GREATER SLOPES ON SITE.
- SITE IS PRESENTLY PAVED WITH AN EXISTING 2 1/2 STORY BUILDING. EXISTING 2-1/2 STORY STRUCTURE, FOUNDATION AND CONCRETE PADS ON SITE ARE TO BE REMOVED. THE "OLDE PHILADELPHIA INN", MHT INVENTORY BA 2438, HAS BEEN DETERMINED TO NOT BE A HISTORICALLY SIGNIFICANT SITE.
- THERE ARE NO EXISTING WELL OR SEPTIC AREAS ON SITE. THIS DEVELOPMENT WILL BE SERVED BY PUBLIC WATER AND SEWER.
- THERE ARE NO KNOWN UNDERGROUND TANKS. CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON SITE.
- THERE ARE NO EXISTING STREAMS, BODIES OF WATER OR SPRINGS ON SITE.
- THERE ARE NO FLOODPLAINS, FLOOD AREAS OR 100 YR. RIVERLINE OR TIDAL AREAS ON SITE.
- LIGHT FIXTURES TO ILLUMINATE PARKING LOT SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM RESIDENTIAL LOTS AND PUBLIC STREETS. LIGHT STANDARDS SHALL BE PROTECTED FROM VEHICULAR TRAFFIC BY CURBING OR LANDSCAPING.
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- HOURS OF OPERATION SHALL BE 24 HOURS/DAY.

ZONING CASE #91-498-XA

- SPECIAL EXCEPTION TO PERMIT AUTOMOTIVE SERVICE STATION (GAS N' GO) IN A BL-CNS ZONE, SECTIONS 230.13 & 405.2.B.2.
- SPECIAL EXCEPTION TO PERMIT A CAR WASH AS USE IN COMBINATION WITH A SERVICE STATION, SECTION 405.4.D.4.
- SPECIAL EXCEPTION TO PERMIT A FOOD STORE OF LESS THAN 5000 SF AS USE IN COMBINATION WITH A SERVICE STATION, SECTION 405.4.D.8.
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- VARIANCE FROM SECTIONS 413.2.1, 405.4.B.4 TO PERMIT ONE (1) BUSINESS SIGN OF 200.3 SF IN LIEU OF THREE (3) SIGNS OF 100 SF AS PERMITTED.

SPECIAL EXCEPTION GRANTED BY BOARD OF APPEALS ON 5/2/92, AND AFFIRMED BY CIRCUIT COURT FOR BALTIMORE COUNTY ON 4/12/93 (CASE NO. 92CV341). VARIANCES WERE FINALLY GRANTED BY BOARD OF APPEALS ON REMAND FROM CIRCUIT COURT, BY SUPPLEMENTAL OPINION AND ORDER DATED 7/22/93, AND CLARIFICATION OF SUPPLEMENTAL OPINION DATED 8/20/93.

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

AMOCO OIL COMPANY
9519 PHILADELPHIA ROAD
PETITIONER'S
SUBMIT NO. 1
WATERSHED: 6
COUNCILMANIC DISTRICT NO: 6
ELECTION DISTRICT NO: 15
BALTIMORE COUNTY, MD.

| | | |
|--|-----------------------------|--------------------------|
| | REVISIONS: 2/19/93 - TJH | SCALE: 1"=20' |
| | | DATE: 9/14/91 |
| | | JOB NO.: 125/01 |
| | | DESIGNED: TJH |
| | DRAWN: JAJ | CHECKED: TJH |
| | | DRAWING NUMBER: ZON-1 |
| | | SHEET 1 OF 2 |

| |
|----|
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| 3 |
| 2 |
| 1 |

WOOD SCREEN FENCE
ELEVATION: NOT TO SCALE

LIGHTING DETAIL
NOT TO SCALE

LAWRENCE W. CLOW
806 S. 4TH
ACCT NO. 1511990010
1210 MIDDLE RIVER RD
RESIDENTIAL